

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

THIRTIETH DAY'S PROCEEDINGS

**Thirty-Second Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, May 18, 2006

The Senate was called to order at 1:30 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Bajoie	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 33		

ABSENT

Amedee	Heitmeier	Quinn
Fields	McPherson	Romero
Total - 6		

The President of the Senate announced there were 33 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Terry Booth, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Bajoie, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Privilege Report of the
Legislative Bureau**

May 18, 2006

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 12—
BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 14:220.1(B), relative to leased movables; to increase the penalty for failure to return a leased movable in certain circumstances; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 56—
BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact R.S. 9:2795.3(A)(1), (3)(a), (4), and (7), relative to civil liability; to provide a limitation of liability for horse racing; to provide definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 70—
BY REPRESENTATIVE DURAND
AN ACT

To enact R.S. 29:735.1, relative to emergency assistance during disasters; to provide a limitation of liability for health care providers; to provide an exception for gross negligence; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 74—
BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact Code of Criminal Procedure Article 344(B)(1), relative to the right to notice for a defendant's required appearance; to provide that the defendant may designate an agent to be served with the notice to appear; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 76—
BY REPRESENTATIVES ANSARDI, BOWLER, DAMICO, LABRUZZO,
MARTINY, PITRE, AND TOOMY AND SENATORS LENTINI AND
SHEPHERD
AN ACT

To enact R.S. 42:1441.3(G), relative to public liability; to provide for the civil liability of political subdivisions; to provide for the determination of master for liability purposes; to provide for political subdivisions acting as third-party payors; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 86—
BY REPRESENTATIVE KENNEY AND SENATOR ELLINGTON
AN ACT

To enact R.S. 33:451, relative to mayors' courts; to establish a mayor's court in the town of Clarks, Caldwell Parish; to provide for the territorial jurisdiction of the court; to grant the mayor power, authority, and jurisdiction; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 121—
BY REPRESENTATIVES JOHNS AND CROWE
AN ACT

To enact R.S. 9:272(C), relative to covenant marriage; to provide relative to grounds for the dissolution of a covenant marriage; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 288—
BY REPRESENTATIVES WALKER, ANSARDI, CRAVINS, AND JOHNS
AN ACT

To amend and reenact Code of Civil Procedure Article 3431(A), relative to small successions; to provide for qualifications for filing a small succession; and to provide for related matters.

Reported without amendments.

May 18, 2006

HOUSE BILL NO. 303—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 40:981.3(A), relative to the Uniform Controlled Dangerous Substances Law; to provide for violations of the Uniform Controlled Dangerous Substances Law in drug-free zones; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 309—

BY REPRESENTATIVES WALKER AND GRAY
AN ACT

To amend and reenact Civil Code Article 54, relative to declarations of death for absent persons; to provide relative to deaths between August 26, 2005, and September 30, 2005; to provide for retroactive application; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 379—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:571.3(B) and Code of Criminal Procedure Article 880, relative to diminution of sentence for good behavior and credit for prior custody; to limit the amount of good time or credit earned per month for inmates serving consecutive sentences; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 534—

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact Code of Civil Procedure Article 3752(B), relative to the recordation of notice of the pendency of an action; to provide for a prescriptive period of ten years; to provide for the reinscription of the notice; to provide for retroactive application; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 676—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 47:1998(A)(1)(a) and to enact R.S. 47:1998(G), relative to ad valorem taxation; to provide procedures for judicial review of the final determination by the Louisiana Tax Commission of assessed valuation and taxes due; to authorize assessors employment of private counsel; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 685—

BY REPRESENTATIVES THOMPSON, BRUCE, CAZAYOUX, CRAVINS, DOWNS, FRITH, M. GUILLORY, HILL, KENNEY, JACK SMITH, AND STRAIN
AN ACT

To enact R.S. 3:4674, relative to ethanol and bio-diesel standards; to provide a minimum ethanol content requirement for gasoline; to provide a minimum bio-diesel content requirement for diesel; to provide relative to alternate renewable fuels; to provide for definitions; to provide for exemptions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 706—

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 19:136 and 136.1(3), relative to the expropriation of blighted property; to authorize the city of Grambling to expropriate by a declaration of taking; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 713—

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 13:1904(C) and (D), relative to the destruction of certain records in the City Court of Ruston; to authorize the clerk of court to destroy certain civil and criminal records; to provide for time limitations in the destruction of records; to provide for requirements prior to destruction; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 846—

BY REPRESENTATIVES DORSEY, ALARIO, K. CARTER, DEWITT, HAMMETT, JEFFERSON, RICHMOND, AND SALTER AND SENATORS BAJOEI, HEITMEIER, HINES, AND MOUNT
AN ACT

To enact R.S. 29:769(E), relative to public health emergencies; to provide during such emergencies for the temporary registration of certain health care providers licensed in another jurisdiction of the United States; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 879—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 14:133.5, relative to filing a false complaint against a law enforcement officer; to create the crime of filing a false complaint against a law enforcement officer; to provide for penalties; to provide for definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 884—

BY REPRESENTATIVES DURAND, ALEXANDER, JOHNS, AND WALKER
AN ACT

To enact R.S. 9:2793.3 and 2793.4, relative to civil liability of nonprofit organizations; to provide a limitation of liability for the United Way; to provide a limitation of liability for Southern Mutual Help Association, Inc.; to provide an exception for willful and wanton misconduct; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1034—

BY REPRESENTATIVE FRITH
AN ACT

To enact R.S. 3:556.14, relative to an assessment on crawfish tail meat; to provide for a referendum of producers; to provide for payment and collection of the assessment; to provide for distribution of the proceeds; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1043—

BY REPRESENTATIVES GREENE AND SCALISE
AN ACT

To amend and reenact R.S. 14:32.1(B), relative to vehicular homicide; to provide for increased penalties for the crime of vehicular homicide; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1093—

BY REPRESENTATIVES DURAND, BALDONE, AND ROMERO
AN ACT

To amend and reenact R.S. 14:67.9, relative to theft of oil and gas equipment; to provide for increased penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1133—

BY REPRESENTATIVES DARTEZ, JACK SMITH, ST. GERMAIN, FAUCHEUX, AND GARY SMITH AND SENATORS AMEDEE AND B. GAUTREAUX

AN ACT

To enact R.S. 16:516, 517, and 518, relative to the payment of health insurance premiums of district attorneys in the Twenty-Third, Twenty-Ninth, and Fortieth judicial districts; to provide with respect to payment of health insurance for certain retired district attorneys; to establish criteria for eligibility; to provide for the payment of such premiums by the district attorney's office; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1134—

BY REPRESENTATIVE E. GUILLORY
AN ACT

To amend and reenact R.S. 33:9576(A), (B), and (D)(5) and to enact R.S. 33:9576(C)(7), (D)(6), and (E), relative to the Calcasieu Parish Gaming Revenue District; to authorize the district to incur debt and issue bonds and other evidences of indebtedness; to provide for purposes and procedures; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1146—

BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 14:102.1(D)(3), (4), and (5), relative to the crime of cruelty to animals; to identify certain species of birds as animals for purposes of the crime; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1201—

BY REPRESENTATIVES HONEY, BALDONE, BURRELL, CAZAYOUX, DORSEY, GEYMAN, GRAY, HEATON, MARTINY, QUEZAIRE, SALTER, SCHNEIDER, JANE SMITH, WHITE, WOOTON, ALARIO, ARNOLD, BADON, BARROW, BAUDOIN, BURNS, K. CARTER, CRANE, CRAVINS, CURTIS, DANIEL, DEWITT, DOVE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRITH, E. GUILLORY, M. GUILLORY, HILL, HUTTER, JACKSON, JEFFERSON, KATZ, LABRUZZO, LAFONTA, LANCASTER, MARCHAND, MCDONALD, MORRELL, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, ROMERO, SCALISE, GARY SMITH, ST. GERMAIN, STRAIN, TOOMY, TRAHAN, AND TUCKER

AN ACT

To amend and reenact R.S. 15:587.1(C)(introductory paragraph) and (1) and to enact R.S. 17:15(E), relative to criminal background checks; to provide for criminal history information for teachers, school employees, and others who are applying for a position of supervisory or disciplinary authority over children; to add crimes of violence, sex offenses and the crimes of voyeurism, and peeping Tom to the list of crimes which are maintained by the Bureau of Criminal Identification and Information and reported to employers; to require teachers and other school employees to disclose convictions or pleas for certain criminal offenses to their employer; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1210—

BY REPRESENTATIVE LAFONTA
AN ACT

To amend and reenact R.S. 30:2522(4) and 2531.1(A), relative to littering; to amend the definition of litter to include roofing nails; to amend provisions of the crime of gross littering to include roofing nails; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1258—

BY REPRESENTATIVES KLECKLEY, MCDONALD, AND WALSWORTH
AN ACT

To amend and reenact Code of Criminal Procedure Article 814(A)(8) and to enact Code of Criminal Procedure Article 814(A)(8.1), relative to responsive verdicts; to provide for oral sexual battery as a responsive verdict to aggravated rape; to provide for responsive verdicts of aggravated rape of a child under the age of thirteen; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1304—

BY REPRESENTATIVE ROBIDEAUX
AN ACT

To enact R.S. 14:102.21, relative to offenses affecting the public sensibility; to create the crime of unauthorized use of the identity of a deceased soldier; to provide for the elements of the crime; to provide for criminal penalties; to provide for definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1335—

BY REPRESENTATIVE GLOVER
AN ACT

To amend and reenact R.S. 14:67.16(A) and (C), relative to identity theft; to provide for penalties for the crime of identity theft against persons sixty years of age or older or disabled; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1369— (Substitute for House Bill No. 581 by Representative Geymann)

BY REPRESENTATIVES GEYMAN AND CRAVINS
AN ACT

To amend and reenact Code of Criminal Procedure Article 893(A) and to enact Chapter 3-D of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:561 through 561.7, relative to sex offenders; to provide for supervised release of sex offenders; to provide for the duties of the Department of Public Safety and Corrections; to provide for the conditions of supervised release; to provide for the duration of supervised release; to provide for applicability; to provide for the adoption of administrative rules; to provide for exceptions; to provide for penalties for failure to comply with the conditions of supervised release; to provide for duties of the court to explain the term and conditions of supervised release; to provide that supervised release shall not constitute probation and as such is not subject to the five-year limitation on the length of probation; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lentini, the Bills and Joint Resolutions were read by title and passed to a third reading.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

HOUSE CONFEREES APPOINTED

May 17, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1073 by Representative Hutter:

Representatives Hutter, K. Carter and Richmond

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 18, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 91—
BY SENATOR MOUNT**

A CONCURRENT RESOLUTION

To commend and to congratulate Kathy Bonsall of Sulphur High School on receipt of the Presidential Award for Excellence in Mathematics and Science Teaching for 2005 and to recognize her contributions to education and the teaching profession.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 93—
BY SENATOR JONES**

A CONCURRENT RESOLUTION

To commend and congratulate Irene Velma King upon the occasion of her one hundredth birthday.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

May 17, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

**SENATE BILL NO. 209—
BY SENATOR FONTENOT**

AN ACT

To amend and reenact R.S. 30:2054(B)(9) and to enact R.S. 30:2022(D), relative to environmental quality; to authorize the secretary of the Department of Environmental Quality to develop regulatory permits; to provide for limitations on such authority; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 615—

BY SENATORS FONTENOT, BAJOEI, HINES, MOUNT AND NEVERS
AND REPRESENTATIVES ALARIO, DEWITT, DORSEY, HAMMETT,
JEFFERSON, RICHMOND, RITCHIE AND SALTER

AN ACT

To enact Chapter 23 of Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950, consisting of R.S. 30:2571 through 2588, relative to environmental quality; to create and provide relative to the Mercury Risk Reduction Act; to authorize the secretary of the Department of Environmental Quality to promulgate rules and regulations to carry out the provisions of this Chapter; to provide for definitions; to provide for manufacturer notifications; to provide relative to public disclosure of confidential business information; to provide relative to restrictions on the sale of certain mercury added products; to provide for exemptions and phase outs; to provide relative to labeling of mercury added products; to provide relative to public notification; to provide relative to the collection of mercury added products; to provide relative to disclosure for mercury containing formulated products; to provide relative to the use of elemental mercury; to provide relative to existing inventories of mercury added products; to authorize the Department of Environmental Quality to implement a public education and outreach program; to provide relative to state procurement preferences for low or non-mercury added products; to provide relative to mercury containing devices in water and wastewater systems; to provide for penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 139—

BY SENATOR HINES

AN ACT

To enact R.S. 37:2504 (D) and (E), relative to the Board of Examiners of Nursing Facility Administrators; to provide that the board is authorized to operate and maintain the Certified Nursing Aide Registry through an interagency agreement with the Department of Health and Hospitals; to authorize the board to issue certificates or other paraphernalia and to charge an amount for providing them; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 401—

BY SENATOR JONES

AN ACT

To amend and reenact Code of Criminal Procedure Art. 926.1(A)(1) and (H)(3), relative to post-conviction relief; to provide for an application for DNA testing; to remove the time period in which an application requesting DNA testing may be filed; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 548—

BY SENATOR ELLINGTON

AN ACT

To authorize and provide for the transfer of certain state property in Calcasieu Parish to the Sabine River Authority; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 388—

BY SENATOR ELLINGTON

AN ACT

To enact R.S. 47:1576.1, relative to settlement offers made by taxpayers; to require certain determinations of tax due and prescription of tax refunds or credits; to require certain responses by the secretary of the Department of Revenue to settlement offers; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 448—
BY SENATOR BROOME

AN ACT

To enact R.S. 17:170.1, relative to school systems providing information regarding meningococcal meningitis; to require that healthcare information be disseminated to parents and guardians on meningococcal diseases with updated information if available; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 636—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 38:329.1, relative to levees; to provide for the powers and duties of the South Lafourche Levee District; to provide relative bonding and taxing authority of the district; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 154—
BY SENATOR N. GAUTREUX

AN ACT

To enact R.S. 9:348, relative to children; to provide relative to visitation orders; to provide for missed visitation due to certain military active duty; to require compensatory days of visitation in such instances; to require negotiation between parents; to provide for court intervention in certain circumstances; to authorize court-ordered mediation; to provide for definitions; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Introduction of Resolutions,
Senate and Concurrent

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 78—
BY SENATOR SHEPHERD

A RESOLUTION

To commend and congratulate Chris and Laura Richard for their efforts in getting the church and physical plant at St. Joseph the Worker Catholic Church back up and functional after Hurricane Katrina and for their continued dedication to the church parish.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 79—
BY SENATOR MOUNT

A RESOLUTION

To urge and request the Senate Committee on Revenue and Fiscal Affairs to study the fiscal impact of exclusion from state individual income taxes gross income from royalties attributed to certain creative or intellectual efforts or activities.

The resolution was read by title; lies over under the rules.

Senator Bajoie in the Chair

SENATE CONCURRENT RESOLUTION NO. 94—
BY SENATORS B. GAUTREUX, BOASSO, DARDENNE AND SHEPHERD

A CONCURRENT RESOLUTION

To authorize the board of trustees of the Louisiana State Employees' Retirement System to grant a cost-of-living increase to eligible benefit recipients; to provide for the maximum amount of such

increase; and to provide for an effective date.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Retirement.

SENATE CONCURRENT RESOLUTION NO. 95—
BY SENATOR B. GAUTREUX AND REPRESENTATIVE ST. GERMAIN
A CONCURRENT RESOLUTION

To commend and congratulate Dow Chemical on fifty years of productivity in Louisiana.

The resolution was read by title. Senator B. Gautreaux moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Cravins	Marionneaux
Adley	Dardenne	Michot
Bajoie	Dupre	Mount
Barham	Ellington	Nevers
Boasso	Fontenot	Schedler
Broome	Gautreaux B	Smith
Cain	Hollis	Theunissen
Chaisson	Jones	Ullo
Cheek	Lentini	
Total - 26		

NAYS

Total - 0

ABSENT

Amedee	Jackson	Quinn
Duplessis	Kostelka	Romero
Fields	Malone	Shepherd
Gautreaux N	McPherson	
Heitmeier	Murray	
Total - 13		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Senate Bills and Joint Resolutions
on Second Reading

The following Senate Bills and Joint Resolutions were taken up and acted upon as follows:

SENATE BILL NO. 748— (Substitute of Senate Bill No. 661 by Senator Barham)

BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 29:725(E) through (H), and R.S. 49:191(3), to enact R.S. 29:722(C), 725(I), 725.1, and 726(E)(21) through (24), and to repeal Section 10 of Act No. 35 of the 2006 First Extraordinary Session of the Legislature of Louisiana, relative to the purpose of the Louisiana Homeland Security and Emergency Assistance and Disaster Act and policy of the state to follow the National Incident Management System; to provide for the powers, duties, and functions of the Governor's Office of Homeland Security and Emergency Preparedness; to provide for the appointment of a deputy director, assistant deputy directors, legal counsel, regional coordinators and assistant coordinators, and their duties, functions, and responsibilities; to provide for the employment status of all agency employees; to authorize the establishment of homeland security and emergency preparedness regions; to provide for appointment of statewide regional advisory committees and their duties; to provide for additional duties of the office; to provide for sunset provisions for the office; to repeal provisions for the office; to repeal provisions terminating

May 18, 2006

Act No. 35 of the First Extraordinary Session of the Louisiana Legislature in 2006; and to provide for related matters.

The bill was read by title, ordered engrossed, and recommitted to the Committee on Finance.

Senate Concurrent Resolutions on Second Reading

The following Senate Concurrent Resolutions were read and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 92—

BY SENATOR HOLLIS

A CONCURRENT RESOLUTION

To urge and request the governor to dedicate \$100 million of the recently recognized revenue surplus towards the reconstruction of the state's levee system.

The resolution was read by title. Senator Hollis moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dupre	Michot
Bajoie	Ellington	Mount
Barham	Fontenot	Nevers
Broome	Gautreaux B	Schedler
Cain	Gautreaux N	Smith
Chaisson	Hollis	Theunissen
Cheek	Kostelka	Ullo
Cravins	Lentini	
Dardenne	Marionneaux	
Total - 25		

NAYS

Total - 0

ABSENT

Mr. President	Heitmeier	Murray
Amedee	Jackson	Quinn
Boasso	Jones	Romero
Duplessis	Malone	Shepherd
Fields	McPherson	
Total - 14		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 17, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 290—
BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 37:219(C), relative to unlawful solicitation of employment for legal representation by an attorney; to increase the penalties for unlawful solicitation for legal representation; and to provide for related matters.

HOUSE BILL NO. 517—
BY REPRESENTATIVE K. CARTER

AN ACT

To enact R.S. 22:1078(B)(22), relative to fees collected by the commissioner of insurance; to provide for a fee for the acceptance of service of process when appointed as agent for a nonresident licensee or a foreign or alien entity; and to provide for related matters.

HOUSE BILL NO. 520—
BY REPRESENTATIVE K. CARTER

AN ACT

To enact R.S. 22:1078(B)(22), relative to fees collected by the commissioner of insurance; to provide for licensing fees for public adjusters; and to provide for related matters.

HOUSE BILL NO. 254—
BY REPRESENTATIVE CROWE

AN ACT

To amend and reenact R.S. 14:91.11(B), relative to offenses affecting the health and morals of minors; to provide with respect to the sale, exhibition, or distribution of material harmful to minors; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 308—

BY REPRESENTATIVES KLECKLEY, ALEXANDER, BADON, BALDONE, BARROW, BAYLOR, BRUCE, BURNS, BURRELL, K. CARTER, CAZAYOUX, CHANDLER, CRAVINS, CROWE, CURTIS, DARTEZ, DORSEY, DURAND, FANNIN, FAUCHEUX, FRITH, GEYMAN, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HOPKINS, JACKSON, JOHNS, KATZ, KENNEY, LAFONTA, LAMBERT, MCDONALD, MORRELL, MORRISH, PIERRE, PINAC, M. POWELL, T. POWELL, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, STRAIN, THOMPSON, TOWNSEND, TRAHAN, WADDELL, WALKER, WHITE, AND WINSTON AND SENATORS MOUNT, ROMERO, AND THEUNISSEN

AN ACT

To enact R.S. 49:220.5(F) and (G), relative to the Louisiana Recovery Authority; to provide for certain duties of the Louisiana Recovery Authority; to require certain plans, assessments, and reports; to provide for the content of such plans, assessments, and reports; and to provide for related matters.

HOUSE BILL NO. 578—
BY REPRESENTATIVE HAMMETT

AN ACT

To enact R.S. 47:1520.1, relative to electronically filed state tax returns; to require taxpayers filing for a state individual income tax refund using a Federal/State E-file Program to direct deposit the state tax refund when the federal tax refund is directly deposited; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1222—
BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 35:199 and 281 and to repeal R.S. 9:2741 and 2745 and R.S. 35:282, 283, 284, 285, and 286, relative to notaries public; to provide for the consolidation of provisions relative to the duty to record certain acts in all parishes; to provide for penalties for failure to record; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 1250—
BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:5607(A)(introductory paragraph), relative to preemptive periods; to provide for actions against real estate developers; and to provide for related matters.

HOUSE BILL NO. 1266—
 BY REPRESENTATIVE GARY SMITH
 AN ACT

To amend and reenact Code of Civil Procedure Article 2640 and 2721(A), relative to executory proceedings; to delete inconsistent provisions relative to service of the notice of demand for payment; and to provide for related matters.

HOUSE BILL NO. 1386— (Substitute for House Bill No. 808 by Representative Hopkins)

BY REPRESENTATIVE HOPKINS
 AN ACT

To enact Part VII of Chapter 17 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:2501, relative to animal control agency officers; to authorize the appointment of certain animal control officers by parish governing authorities in certain parishes; to provide for qualifications; to provide for enforcement powers; to provide for P.O.S.T. certification; to provide for limitations; and to provide for related matters.

HOUSE BILL NO. 1387— (Substitute for House Bill No. 1009 by Representative Toomy)

BY REPRESENTATIVE TOOMY
 AN ACT

To amend and reenact R.S. 26:2(10) and (17), 85, 142, and 359(B), (C), (D), (E), and (G), to enact R.S. 26:2(21) and (22) and 71(A)(6) and (7), and to repeal Part II-A of Chapter 2 of Title 26 of the Louisiana Revised Statutes of 1950, comprised of R.S. 26:321 through 327, and R.S. 26:341(A)(5) and (B), relative to wine producers under the Alcoholic Beverage Control Law; to provide for definitions; to provide for permits; to authorize a wine producer to sell or serve its product at retail directly to consumers at its winery, at specified other locations, and to directly ship to consumers in Louisiana; to authorize the selling and direct shipment of sparkling or still wine directly to a consumer in Louisiana by a manufacturer or retailer domiciled outside of the state or by a wine producer domiciled inside or outside of the state; to provide for exceptions requiring shipment to a wholesaler; to repeal all provisions of Louisiana's Native Wine Law; to repeal provisions providing for an excise or license tax on native wines; to repeal provisions providing for an additional tax on manufacturers or retailers of sparkling wine or still wine domiciled outside the state who directly ship to a consumer within the state; and to provide for related matters.

HOUSE BILL NO. 1388— (Substitute for House Bill No. 1191 by Representative Thompson)

BY REPRESENTATIVES THOMPSON, SALTER, DORSEY, TOOMY, ALARIO, K. CARTER, DEWITT, HAMMETT, JEFFERSON, RICHMOND, AND RITCHIE AND SENATORS BARHAM, HINES, BAJIOIE, MOUNT, AND NEVERS

AN ACT

To amend and reenact R.S. 29:725(E) through (H) and R.S. 49:191(3), to enact R.S. 29:722(C), 725(I), 725.1, 725.2, and 726(E)(21) through (24), and to repeal Section 10 of Act No. 35 of the 2006 First Extraordinary Session of the Legislature of Louisiana, relative to the purpose of the Louisiana Homeland Security and Emergency Assistance and Disaster Act and policy of the state; to provide for application of the principles of the National Incident Management System; to provide for the powers, duties, and functions of the Governor's Office of Homeland Security and Emergency Preparedness; to provide for appointment of a deputy director, assistant deputy directors, legal counsel, regional coordinators and assistant coordinators, and their duties, functions, and responsibilities and employment status of all agency employees; to authorize the establishment of homeland security and emergency preparedness regions; to provide for appointment of statewide regional advisory committees and their duties; to provide for additional duties of the office; to provide for confidentiality of certain records; to provide for sunset provisions for the office; to repeal provisions for the office; to repeal provisions terminating Act No. 35 of the First Extraordinary Session of the Louisiana Legislature in 2006; and to provide for related matters.

Respectfully submitted,
 ALFRED W. SPEER
 Clerk of the House of Representatives

**House Bills and Joint Resolutions
 on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 254—
 BY REPRESENTATIVE CROWE
 AN ACT

To amend and reenact R.S. 14:91.11(B), relative to offenses affecting the health and morals of minors; to provide with respect to the sale, exhibition, or distribution of material harmful to minors; to provide for definitions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 290—
 BY REPRESENTATIVE DURAND
 AN ACT

To amend and reenact R.S. 37:219(C), relative to unlawful solicitation of employment for legal representation by an attorney; to increase the penalties for unlawful solicitation for legal representation; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 308—
 BY REPRESENTATIVES KLECKLEY, ALEXANDER, BADON, BALDONE, BARROW, BAYLOR, BRUCE, BURNS, BURRELL, K. CARTER, CAZAYOUX, CHANDLER, CRAVINS, CROWE, CURTIS, DARTEZ, DORSEY, DURAND, FANNIN, FAUCHEUX, FRITH, GEYMAN, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HOPKINS, JACKSON, JOHNS, KATZ, KENNEY, LAFONTA, LAMBERT, MCDONALD, MORRELL, MORRISH, PIERRE, PINAC, M. POWELL, T. POWELL, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, STRAIN, THOMPSON, TOWNSEND, TRAHAN, WADDELL, WALKER, WHITE, AND WINSTON AND SENATORS MOUNT, ROMERO, AND THEUNISSEN

AN ACT

To enact R.S. 49:220.5(F) and (G), relative to the Louisiana Recovery Authority; to provide for certain duties of the Louisiana Recovery Authority; to require certain plans, assessments, and reports; to provide for the content of such plans, assessments, and reports; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 517—
 BY REPRESENTATIVE K. CARTER
 AN ACT

To enact R.S. 22:1078(B)(22), relative to fees collected by the commissioner of insurance; to provide for a fee for the acceptance of service of process when appointed as agent for a nonresident licensee or a foreign or alien entity; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 520—
 BY REPRESENTATIVE K. CARTER
 AN ACT

To enact R.S. 22:1078(B)(22), relative to fees collected by the commissioner of insurance; to provide for licensing fees for public adjusters; and to provide for related matters.

The bill was read by title; lies over under the rules.

May 18, 2006

HOUSE BILL NO. 578—
BY REPRESENTATIVE HAMMETT
AN ACT

To enact R.S. 47:1520.1, relative to electronically filed state tax returns; to require taxpayers filing for a state individual income tax refund using a Federal/State E-file Program to direct deposit the state tax refund when the federal tax refund is directly deposited; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1222—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 35:199 and 281 and to repeal R.S. 9:2741 and 2745 and R.S. 35:282, 283, 284, 285, and 286, relative to notaries public; to provide for the consolidation of provisions relative to the duty to record certain acts in all parishes; to provide for penalties for failure to record; to provide for exceptions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1250—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 9:5607(A)(introductory paragraph), relative to preemptive periods; to provide for actions against real estate developers; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1266—
BY REPRESENTATIVE GARY SMITH
AN ACT

To amend and reenact Code of Civil Procedure Article 2640 and 2721(A), relative to executory proceedings; to delete inconsistent provisions relative to service of the notice of demand for payment; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1386— (Substitute for House Bill No. 808 by Representative Hopkins)
BY REPRESENTATIVE HOPKINS
AN ACT

To enact Part VII of Chapter 17 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:2501, relative to animal control agency officers; to authorize the appointment of certain animal control officers by parish governing authorities in certain parishes; to provide for qualifications; to provide for enforcement powers; to provide for P.O.S.T. certification; to provide for limitations; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1387— (Substitute for House Bill No. 1009 by Representative Toomy)
BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 26:2(10) and (17), 85, 142, and 359(B), (C), (D), (E), and (G), to enact R.S. 26:2(21) and (22) and 71(A)(6) and (7), and to repeal Part II-A of Chapter 2 of Title 26 of the Louisiana Revised Statutes of 1950, comprised of R.S. 26:321 through 327, and R.S. 26:341(A)(5) and (B), relative to wine producers under the Alcoholic Beverage Control Law; to provide for definitions; to provide for permits; to authorize a wine producer to sell or serve its product at retail directly to consumers at its winery, at specified other locations, and to directly ship to consumers in Louisiana; to authorize the selling and direct shipment of sparkling or still wine directly to a consumer in Louisiana by a manufacturer or retailer domiciled outside of the state or by a wine producer domiciled inside or outside of the state; to provide for exceptions requiring shipment to a wholesaler; to repeal all provisions of Louisiana's Native

Wine Law; to repeal provisions providing for an excise or license tax on native wines; to repeal provisions providing for an additional tax on manufacturers or retailers of sparkling wine or still wine domiciled outside the state who directly ship to a consumer within the state; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1388— (Substitute for House Bill No. 1191 by Representative Thompson)

BY REPRESENTATIVES THOMPSON, SALTER, DORSEY, TOOMY, ALARIO, K. CARTER, DEWITT, HAMMETT, JEFFERSON, RICHMOND, AND RITCHIE AND SENATORS BARHAM, HINES, BAJOEI, MOUNT, AND NEVERS

AN ACT

To amend and reenact R.S. 29:725(E) through (H) and R.S. 49:191(3), to enact R.S. 29:722(C), 725(I), 725.1, 725.2, and 726(E)(21) through (24), and to repeal Section 10 of Act No. 35 of the 2006 First Extraordinary Session of the Legislature of Louisiana, relative to the purpose of the Louisiana Homeland Security and Emergency Assistance and Disaster Act and policy of the state; to provide for application of the principles of the National Incident Management System; to provide for the powers, duties, and functions of the Governor's Office of Homeland Security and Emergency Preparedness; to provide for appointment of a deputy director, assistant deputy directors, legal counsel, regional coordinators and assistant coordinators, and their duties, functions, and responsibilities and employment status of all agency employees; to authorize the establishment of homeland security and emergency preparedness regions; to provide for appointment of statewide regional advisory committees and their duties; to provide for additional duties of the office; to provide for confidentiality of certain records; to provide for sunset provisions for the office; to repeal provisions for the office; to repeal provisions terminating Act No. 35 of the First Extraordinary Session of the Louisiana Legislature in 2006; and to provide for related matters.

The bill was read by title; lies over under the rules.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 17, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 215—
BY REPRESENTATIVE T. POWELL
A CONCURRENT RESOLUTION

To urge and request the Governor's Office of Homeland Security and Emergency Preparedness to convene a task force to develop a comprehensive plan to ensure access to temporary emergency electrical power for certain designated private businesses to expedite the re-establishment of community services in times of emergency.

HOUSE CONCURRENT RESOLUTION NO. 216—
BY REPRESENTATIVE MCVEA
A CONCURRENT RESOLUTION

To recognize that the passage of House Bill No. 1387 by Representative Toomy, which authorizes a wine producer to sell or serve its product at retail directly to consumers at its winery, at other specified locations, and to directly ship to consumers in

Louisiana, will greatly contribute to the agricultural industry and the economy of this state.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 215—

BY REPRESENTATIVE T. POWELL
A CONCURRENT RESOLUTION

To urge and request the Governor's Office of Homeland Security and Emergency Preparedness to convene a task force to develop a comprehensive plan to ensure access to temporary emergency electrical power for certain designated private businesses to expedite the re-establishment of community services in times of emergency.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 216—

BY REPRESENTATIVE MCVEA
A CONCURRENT RESOLUTION

To recognize that the passage of House Bill No. 1387 by Representative Toomy, which authorizes a wine producer to sell or serve its product at retail directly to consumers at its winery, at other specified locations, and to directly ship to consumers in Louisiana, will greatly contribute to the agricultural industry and the economy of this state.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Judiciary B.

**House Bills and Joint Resolutions
on Second Reading to be Referred**

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 186—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 9:392(A)(introductory paragraph) and to enact R.S. 9:392(A)(7)(c), relative to the acknowledgment of paternity; to require the disclosure of certain information prior to the execution of an acknowledgment; to prohibit the suspension of certain responsibilities and obligations; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 278—

BY REPRESENTATIVES MARTINY, BRUCE, CAZAYOUX, CRAVINS,
LAFLEUR, JANE SMITH, AND WHITE
AN ACT

To amend and reenact R.S. 15:542(A)(2)(a), relative to registration requirements of sex offenders; to require sex offenders who enter an emergency shelter to notify the local sheriff; to provide notice to the chief of police in municipalities where a shelter is located; to provide for notice to the Louisiana Bureau of Criminal Identification and Information; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 436—

BY REPRESENTATIVE GREENE
AN ACT

To enact R.S. 49:331, relative to public funds; to require commercial couriers who transport public funds to furnish a fidelity bond; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 553—

BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact Children's Code Articles 661, 698, and 708 and to enact R.S. 15:283(E), relative to the presence of individuals at adjudications, case reviews, permanency hearings, and court proceedings; to provide for persons who may be present at adjudication hearings, case reviews and permanency hearings; to provide with respect to protected persons and testimony taken outside of a court room; to amend the definition of protected persons to include victims of crime who are fourteen years of age or younger or who have a developmental disability or mental retardation; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 601—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 9:315.4 and R.S. 46:236.8(A), (B)(1)(introductory paragraph), (c), (e), (f), and (C), (E), (F), and (G)(6) and to enact R.S. 9:315(C)(8), relative to child support; to provide for the definition of medical support; to require medical support orders; to provide changes in terminology; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 742—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 40:1730.27(B), 1730.35(A) and (C), and 1730.36, relative to state building codes; to provide for effective period of emergency provisions; to provide for application process; to provide for registration; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 892—

BY REPRESENTATIVE K. CARTER
AN ACT

To enact R.S. 9:2800.16, relative to public liability; to provide for government immunity of the state and other political subdivisions during and in the aftermath of Hurricanes Katrina and Rita; to provide for limitation of liability for the state and other governmental subdivisions and its agents and assigns arising out of decisions made, and in its operational activities, in the reopening, rebuilding, and resuming of operations following Hurricanes Katrina and Rita; to prohibit certain causes of action against school districts and the Recovery School District; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

May 18, 2006

HOUSE BILL NO. 935—
BY REPRESENTATIVES DANIEL AND BARROW
AN ACT

To enact Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9581, relative to public contracts; to authorize East Baton Rouge Parish to enter into agreements for the maintenance and operation of public facilities related to sewerage and nonpotable water treatment systems; to provide with respect to the content of such contractual agreements; to provide for the disposition and allocation of revenues and assets; to provide for the pledge of revenues; to provide certain immunities from liability; to provide for limitation of liability; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 979—
BY REPRESENTATIVE E. GUILLORY
AN ACT

To amend and reenact R.S. 49:220.5(C)(3), relative to the Louisiana Recovery Authority; to provide for the use of minority-owned businesses in certain recovery-related activities; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 1001—
BY REPRESENTATIVE GRAY
AN ACT

To amend and reenact R.S. 39:461.1(A)(2) and to enact Chapter 61 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2771, relative to health care finance; to establish the Care for Evacuated Patients Program to be administered by the Department of Health and Hospitals; to provide a method of payment for the provision of medical care by nonstate hospitals with respect to certain patients who have been evacuated from a state hospital; to provide for the maximum amount and duration of such payments; to require submission of statements of costs for services to the secretary of the Department of Health and Hospitals; to provide for submission of a request for funding the payment of such costs to the Interim Emergency Board; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 1017—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:403(5)(a) and (b)(i) and 441(B), to enact R.S. 11:421(I) and 471(F), and to repeal R.S. 11:531(A)(1)(b), relative to the Louisiana State Employees' Retirement System; to provide relative to average compensation; to provide relative to computation of service credit; to provide with respect to benefits for part-time employees; to provide for a retired member's minor children to receive certain benefits upon his death; to repeal provisions for monthly reports of base pay; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 1026—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 11:2252(2), 2253(A)(1)(a)(ii), and 2256(A)(4) and to enact R.S. 11:2252(22) and (23), 2254(D), 2271, and 2272, relative to the Firefighters' Retirement System; to provide for compliance with the Internal Revenue Code; to provide relative to definitions, membership, service credit, and benefits; to provide with respect to tax qualification; to provide

for an excess benefit plan; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 1029—
BY REPRESENTATIVE DORSEY
AN ACT

To amend and reenact R.S. 47:1061(B) and to enact R.S. 47:1061(C), relative to the telecommunications tax for the deaf; to provide for the use of monies in the Telecommunications for the Deaf Fund; to provide an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 1172—
BY REPRESENTATIVES TUCKER AND SCALISE
AN ACT

To enact R.S. 38:2182 and R.S. 39:1518.1 and 1658, relative to public contracts and procurement; to require certain information be furnished with respect to certain contracts let during a state of emergency; to provide for notification to contractors; to provide for the maintenance of a list or registry of such information; to provide for the crime of failure to submit such required information; to provide for penalties; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 1204—
BY REPRESENTATIVES QUEZAIRE AND ALARIO AND SENATORS
ELLINGTON AND HEITMEIER
AN ACT

To enact R.S. 32:1525 and to repeal R.S. 32:1513(A), relative to motor carrier violations; to implement a procedure for the review of motor carrier violations; to provide relative to the assessment of penalties and collection of fines for violations; to provide relative to notification of violations to motor carriers and owners of motor vehicles; to provide relative to the administrative review of such violations; to authorize the posting of certain violations on the office of state police web site; to authorize the suspension of registration and commercial driver's license renewals under certain circumstances; to authorize the promulgation of rules and regulations; to prohibit the seizure of certain motor vehicles; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 1274—
BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 1:55(E)(1)(b) and to enact R.S. 1:55(E)(5), relative to holidays for the clerk of court's office of a district court, parish court, and city court and holidays of all the courts; to authorize a clerk of court to close his office when an emergency has been declared by either the governor or the local governing authority; to provide clarification for the holidays of courts generally; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 1285—
BY REPRESENTATIVES ODINET, BARROW, BAUDOIN, BAYLOR,
DOVE, GRAY, JEFFERSON, KATZ, AND MARCHAND
AN ACT

To enact R.S. 33:4882, relative to building and zoning regulations in parishes and municipalities; to require that the governing authority of any municipality or parish and any agency of any such municipality or parish shall not allow and shall not cause

any building or land to lose nonconforming use status by reason of vacancy or cessation of normal operations as a result of damage caused by Hurricane Katrina or Hurricane Rita during a specified time period; to provide exceptions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1328—
BY REPRESENTATIVE KATZ

AN ACT

To amend and reenact Section 2 of Act No. 1118 of the 1995 Regular Session of the Legislature, relative to tax increment financing; to provide that the prohibition regarding the use of state sales tax increments shall not apply to a project expansion or extension of the use of state sales tax for certain economic development projects or programs; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 1370— (Substitute for House Bill No. 1099 by Representative Gray)

BY REPRESENTATIVE GRAY

AN ACT

To enact Subpart D-1 of Part II of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950 to be comprised of R.S. 46:286.2 through 286.4, relative to the Foster Parents' Bill of Rights; to provide for purpose; to provide for the rights of foster parents; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 1377— (Substitute for House Bill No. 502 by Representative Pinac)

BY REPRESENTATIVE PINAC

AN ACT

To enact Chapter 4-C of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:781 through 822, and to repeal Chapter 4-A of Title 32 of the Louisiana Revised Statutes of 1950, comprised of R.S. 32:751 through 766, and Chapter 4-B of Title 32 of the Louisiana Revised Statutes of 1950, comprised of R.S. 32:771 through 780, relative to the Louisiana Recreational and Used Motor Vehicle Commission; to provide for definitions; to provide for jurisdiction and authority; to provide for appointment and the powers and duties of the commission; to provide for licensing requirements for dealers; to provide for injunctions; to provide for penalties; to provide for application and bond requirements for a used motor vehicle dealer license; to provide for suspension or revocation of license; to provide for rent with option-to-purchase program; to provide for water-damaged vehicles; to provide for prohibition of black market sales; to provide for licensing requirements for dismantlers, parts recyclers, used parts dealers, and motor vehicle crushers; to provide for suspension of licenses; to provide for requirement to keep records; to provide for transfers of title; to provide for salvage pools; to provide for salvage dealers; to provide for requirements for recreational product dealers and manufacturers; to provide for unlawful acts and suspension of license; to provide for indemnity requirements; to provide for areas of responsibility; to provide for repurchase requirements; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 1381— (Substitute for House Bill No. 421 by Representative Burrell)

BY REPRESENTATIVES BURRELL, ALARIO, ALEXANDER, ARNOLD, BADON, BAUDOUIN, BAYLOR, BEARD, BRUCE, BURNS, K. CARTER, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DOERGE, DORSEY, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEBERT, HOPKINS, HUTTER, JEFFERSON, KATZ, KENNEY, LABRUZZO, LAFLEUR, LAFONTA, MARTINY, McDONALD, MCVEA, PIERRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROMERO, SALTER, SCALISE, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, AND WHITE

AN ACT

To enact R.S. 14:91.14, relative to offenses affecting the health and morals of minors; to provide with respect to the sale, exhibition, or distribution of material harmful to minors; to provide for definitions; to create the crime of prohibited sales of computer or video games to minors; to provide for definitions; to provide for penalties; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 1382— (Substitute for House Bill No. 582 by Representative Crowe)

BY REPRESENTATIVE CROWE

AN ACT

To amend and reenact R.S. 40:1299.35.6(C)(1)(a) and to enact R.S. 40:1299.35.6(A)(5)(d) and (B)(1)(g), relative to the performance of abortions; to provide for informed consent requirements; to provide for publication of materials by the Department of Health and Hospitals; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 1383— (Substitute for House Bill No. 875 by Representative Townsend)

BY REPRESENTATIVE TOWNSEND

AN ACT

To enact R.S. 40:4(A)(1)(c), relative to retail food establishments; to provide for rules and regulations; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 1384— (Substitute for House Bill No. 928 by Representative K. Carter)

BY REPRESENTATIVE K. CARTER

AN ACT

To enact Part XXV-F of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1210.71 through 1210.88, and to repeal R.S. 22:1476, relative to insurance adjusters; to provide for the qualification and license requirements of public adjusters; to provide for definitions; to provide for the requirement of a license; to provide for the application for license; to provide for resident and nonresident licenses; to provide for examinations and exemptions; to provide for reciprocity; to provide for denial, nonrenewal, or revocation of a license; to provide for evidence of financial responsibility; to provide for continuing education; to provide for limitations on contracts between public adjusters and insureds; to provide for retention of records; to provide for standards of conduct; to provide for penalties; to provide for powers of the commissioner of insurance; to provide for regulations; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 1385— (Substitute for House Bill No. 567 by Representative Toomy)

BY REPRESENTATIVES TOOMY AND ANSARDI

AN ACT

To enact R.S. 15:571.11(N), relative to the Twenty-Fourth Judicial District Court; to provide concerning the operational funds of

May 18, 2006

the court; to provide relative to the Criminal Court Fund; to provide for transcription of indigent felony cases; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 1389— (Substitute for House Bill No. 1288 by Representative Gray)

BY REPRESENTATIVE GRAY

AN ACT

To amend and reenact R.S. 33:4175, relative to public power authorities; to provide relative to the purpose and governing board of certain public power authorities; to provide relative to the powers granted to such authorities; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1390— (Substitute for House Bill No. 1340 by Representative Gray)

BY REPRESENTATIVE GRAY

AN ACT

To amend and reenact R.S. 18:401.3(B), relative to the conduct of early voting in certain parishes for certain elections; to authorize the secretary of state to include the conduct of early voting in certain parishes in an emergency plan developed by the secretary of state for the conduct of an election in an area affected by a gubernatorially declared state of emergency; to provide relative to the conduct of such early voting; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

EDUCATION

Senator Ullo, Chairman on behalf of the Committee on Education, submitted the following report:

April 18, 2006

To the President and Members of the Senate:

I am directed by your Committee on Education to submit the following report:

SENATE BILL NO. 111—
BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 17:279(B) and to enact R.S. 17:280, relative to children; to provide relative to secondary education curricula; to provide relative to required courses of study; to require certain topics to be included in certain courses of study; to provide relative to permitted courses of study; to provide for definitions; to provide relative to pregnant secondary education students; to require certain academic access for such students; to require alternative educational services to pregnant adolescents under certain circumstances; to provide for elements of such services; to require parent or guardian approval of such services; to require the adoption of rules and regulations by the State Board of Elementary and Secondary Education for the implementation of such services; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 335—
BY SENATOR NEVERS

AN ACT

To enact Subpart A-3 of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:187.1 through 187.7, relative to public schools and school children; to provide for articulated and reciprocal technical training for shared students; to provide legislative findings and purposes; to provide definitions; to provide for the establishment of programs of dual enrollment of students in public secondary schools and institutions under the jurisdiction of the Board of Supervisors of Louisiana Community and Technical Colleges; to provide for the duties and responsibilities of the State Board of Elementary and Secondary Education, the Board of Supervisors of Louisiana Community and Technical Colleges, the city, parish, or other local public school boards, and the governing boards of public schools not under the jurisdiction of a local board; to provide relative to the funding for dual enrollment; to establish the Articulated Technical Training Fund; to provide for the deposit of monies by city, parish, or other local public school boards in the case of students dropping out of schools under their jurisdiction; to provide for the allocation of monies from the fund to community and technical colleges which recruit and train such students; and to provide for related matters.

Reported by substitute.

HOUSE BILL NO. 595—
BY REPRESENTATIVES WHITE, ERDEY, MCVEA, AND SMILEY AND SENATOR FONTENOT

AN ACT

To enact R.S. 39:562(M), relative to the limit of indebtedness of school districts; to authorize an increase in bonded indebtedness in certain parishes, with voter approval; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 764—
BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 25:215(B)(16), relative to the Vermilion Parish Library; to transfer the administration of and accounting functions for funds of the library from the Vermilion Parish Police Jury to the Vermilion Parish Library Board of Control; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 780—
BY REPRESENTATIVE MCDONALD

AN ACT

To amend and reenact R.S. 17:3092(11) and (12) and to enact R.S. 17:3092(13) and (14) and 3095(H), relative to the Louisiana Student Tuition Assistance and Revenue Trust Program; to provide for definitions; to provide relative to education savings accounts including the investment of checks and electronic funds transfers and the deposit of any increase in the value of such accounts under certain circumstances; to provide for the use of certain monies; to provide an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1184—
BY REPRESENTATIVES M. POWELL, DOWNS, T. POWELL, TRAHAN, AND WALKER

AN ACT

To amend and reenact R.S. 17:1235(A) and 1237(B) and to enact R.S. 17:1235(E), relative to school employee personnel files; to provide relative to documents placed in such files on or before a specified date; to provide that school employees be given the opportunity to rebut and respond to such documents especially under certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1332—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 41:1212(L), to authorize the Natchitoches Parish School Board to lease certain property to Waterworks District No. 2 of Natchitoches Parish for specified purposes; to provide relative to the term and cost of such lease; to provide conditions and limitations; to provide relative to access to the leased property; to provide an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CHRIS ULLO
Chairman

**REPORT OF COMMITTEE ON
NATURAL RESOURCES**

Senator Malone, Chairman on behalf of the Committee on Natural Resources, submitted the following report:

May 18, 2006

To the President and Members of the Senate:

I am directed by your Committee on Natural Resources to submit the following report:

HOUSE CONCURRENT RESOLUTION NO. 198—
BY REPRESENTATIVES PIERRE, ALARIO, BEARD, BURNS, BURRELL, CAZAYOUX, CRANE, CURTIS, DAMICO, DANIEL, DARTEZ, DOERGE, DOVE, DOWNS, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, E. GUILLORY, HAMMETT, HILL, HOPKINS, HUTTER, JACKSON, JOHNS, KENNEY, KLECKLEY, LAFLEUR, LAMBERT, MARTINY, MCDONALD, MONTGOMERY, MORRISH, ODINET, PINAC, T. POWELL, RITCHIE, ROBIDEAUX, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALSWORTH, AND WOOTON

A CONCURRENT RESOLUTION

To express the support of the Legislature of Louisiana for the storage of natural gas in this state and to recognize the benefits and importance of the storage of natural gas in this state.

Reported favorably.

HOUSE BILL NO. 85—
BY REPRESENTATIVE T. POWELL
AN ACT

To amend and reenact R.S. 56:331(B)(introductory paragraph), relative to the Crab Task Force; to provide for appointments to the task force; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 107—
BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 30:83(B)(1) and 121(C), relative to the secretary of the Department of Natural Resources' service on certain state boards; to authorize the undersecretary to serve as proxy for the secretary on the State Mineral Board and the Oilfield Site Restoration Commission; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 227—
BY REPRESENTATIVE WOOTON
AN ACT

To authorize and provide for the transfer of certain state property in Plaquemines Parish to the Plaquemines Parish governing authority; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 521—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To repeal R.S. 36:209(H)(2) and Chapter 11-A of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:2351 through 2361, relative to the Atchafalaya Basin; to repeal the Atchafalaya Basin Division and the Governor's Atchafalaya Basin Commission.

Reported favorably.

HOUSE BILL NO. 658—
BY REPRESENTATIVE SALTER
AN ACT

To authorize and provide for the acceptance of the donation of certain property in Sabine Parish to the state of Louisiana, through the Department of Culture, Recreation and Tourism; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 689—
BY REPRESENTATIVE HAMMETT
AN ACT

To enact R.S. 50:173.1, relative to standards for land mapping systems; to provide for vertical control standards; to provide for references; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 824—
BY REPRESENTATIVES FRITH, PIERRE, JACK SMITH, AND ST. GERMAIN AND SENATOR MALONE
AN ACT

To amend and reenact R.S. 56:104(B)(4), 104.1(A), and 116.3(A)(1)(a) and (B) and to repeal R.S. 56:116(B)(3), relative to hunting with bow and arrow; to authorize the use of magnified scopes with crossbows; to authorize the use of a mechanically held bow in certain circumstances; to authorize the use of certain arrow points; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 825—
BY REPRESENTATIVES ST. GERMAIN, DANIEL, LAMBERT, PIERRE, AND JACK SMITH AND SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 56:6.1 and to repeal R.S. 56:317, relative to emergency season closures for hunting and fishing; to authorize the emergency closure of hunting or fishing seasons by the secretary of the Department of Wildlife and Fisheries; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 835—
BY REPRESENTATIVES JACK SMITH AND LAMBERT AND SENATORS MALONE AND MCPHERSON
AN ACT

To amend and reenact R.S. 34:851.36, relative to boating safety; to revise the penalties for violations of boating safety education requirements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 836—
BY REPRESENTATIVES JACK SMITH, LAMBERT, AND ST. GERMAIN AND SENATORS MALONE AND MCPHERSON
AN ACT

To amend and reenact R.S. 34:851.10(A) and (B), relative to the operation of vessels; to revise collision and accident report provisions; and to provide for related matters.

Reported favorably.

May 18, 2006

HOUSE BILL NO. 840—
BY REPRESENTATIVES ST. GERMAIN, LAMBERT, PIERRE, AND JACK SMITH AND SENATORS MALONE AND MCPHERSON
AN ACT

To amend and reenact R.S. 56:103(E), relative to hunting licenses; to provide penalties for use of a hunting license by a person other than the licensee; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 953—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To authorize and provide for the transfer of certain state property in West Feliciana from the division of administration to Turnbull Incorporated; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1069—
BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 30:572(1)(a), relative to the Natural Resources and Energy Act of 1973; to provide that when intrastate natural gas is rationed or allocated because of an emergency shortage, priority is given to the petroleum, petrochemical, and chemical industry to the extent necessary to ensure the protection of the public health, safety, and the environment; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1086—
BY REPRESENTATIVE DOVE
AN ACT

To amend and reenact R.S. 49:214.7(A) and to enact R.S. 49:214.7(E), relative to barrier islands; to require that barrier island stabilization or reconstruction projects contain a minimum dune height; to require the Department of Natural Resources to report annually to the legislature relative to the status and plans for barrier islands; and to provide for related matters.

Reported favorably.

Respectfully submitted,
MAX T. MALONE
Chairman

REPORT OF COMMITTEE ON

TRANSPORTATION, HIGHWAYS AND PUBLIC WORKS

Senator Ellington, Chairman on behalf of the Committee on Transportation, Highways and Public Works, submitted the following report:

May 18, 2006

To the President and Members of the Senate:

I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

HOUSE BILL NO. 72—
BY REPRESENTATIVE LABRUZZO
AN ACT

To enact Part VI of Chapter 9 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:1950.11 through 56:1950.13, relative to the Old Metairie Road Business and Cultural District; to designate the area along a portion of Metairie Road in Jefferson Parish as the Old Metairie Road Business and Cultural District; to require certain signage identifying and providing directions to the district; and to

provide for related matters.

Reported with amendments.

HOUSE BILL NO. 367—
BY REPRESENTATIVE LAFONTA
AN ACT

To amend and reenact R.S. 32:861(A)(2), relative to compulsory motor vehicle liability security; to provide an exemption for water-damaged vehicles; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 488—
BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 36:509(E)(1) and to repeal R.S. 36:509(B)(5), relative to the Hurricane Flood Protection Advisory Commission; to provide for the nature of its placement within the Department of Transportation and Development; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 918—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 47:463.131, relative to motor vehicle prestige license plates; to provide relative to the creation and issuance of the Louisiana largemouth bass special prestige license plate; to provide relative to the fee for such plate; to provide for the use of such fee; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1103—
BY REPRESENTATIVES WADDELL, BEARD, DANIEL, DOWNS, ERDEY, GREENE, HUTTER, PITRE, M. POWELL, QUEZAIRE, AND ST. GERMAIN

AN ACT

To amend and reenact R.S. 32:409.1(A)(2)(c) and 410(A)(3)(a)(iii) and R.S. 47:503(A)(3) and to enact R.S. 32:409(C), relative to personal information required by the office of motor vehicles on drivers license and motor vehicle registration applications; to provide relative to the address requirements on such forms for certain applicants; to provide exceptions for law enforcement officers, court officers, and members of their immediate families; to prohibit the release of personal information for such persons under certain circumstances; to provide for certain definitions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1175—
BY REPRESENTATIVE SALTER AND SENATOR HINES
AN ACT

To amend and reenact R.S. 47:511.1(A) and to enact R.S. 11:607, relative to registration of vehicles; to provide relative to temporary permits authorizing the operation of trucks owned by residents of states which do not have a reciprocity agreement with Louisiana; to increase the fee for issuance of temporary permits authorizing the operation of such trucks on Louisiana highways; to provide relative to the terms of such temporary permits; to increase the number of hours the temporary permits authorize the operation of such trucks on Louisiana highways; to create the Department of Public Safety and Corrections Police Officer Fund; to provide for the use of such monies; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1179—

BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 32:387.10(A)(3), relative to special permits allowing operation of oversize and overweight trucks and combination vehicles; to provide relative to the limitations on a vehicle transporting certain logging equipment pursuant to such a permit; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1190—

BY REPRESENTATIVE M. GUILLORY
AN ACT

To enact R.S. 32:387.18, relative to special permits; to authorize the issuance of a special permit for the transport of specialized heavy haul equipment on interstate highways; to provide relative to certain limitations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1206—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To require the mayors of certain municipalities within the territorial boundaries of certain airport authorities to be members of the boards of commissioners of such airport authorities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1212—

BY REPRESENTATIVE LAFONTA
AN ACT

To amend and reenact R.S. 32:383(C), relative to the securing of loads on vehicles; to provide with respect to "loose materials" which must be covered; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1257—

BY REPRESENTATIVE SCALISE
AN ACT

To enact R.S. 47:463.131 and 463.132, relative to motor vehicle prestige license plates; to provide for the creation of a Support Our Troops prestige license plate; to provide for the creation of the Motorcycle Awareness Campaign prestige license plates for certain motor vehicles and motorcycles; to provide for the issuance of such plates; to provide relative to the fees for such plates; to provide for use of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1282—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact R.S. 38:2212(A)(1)(d)(iv) and to repeal R.S. 38:2212(A)(1)(d)(iv), relative to public works performed by political subdivisions; to provide relative to the applicability of certain laws governing the advertising and letting of contracts to the repair of damage caused by Hurricane Katrina or Rita; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1294—

BY REPRESENTATIVES QUEZAIRE, BEARD, AND DANIEL
AN ACT

To amend and reenact R.S. 48:2073 and to enact R.S. 48:2072(C) and (D) and 2084 through 2084.15, relative to the Louisiana Transportation Authority; to provide relative to legislative findings; to authorize the Louisiana Transportation Authority to enter into public-private partnership agreements for the construction of certain transportation facility projects; to provide

relative to definitions; to authorize the submission of transportation facility proposals by certain entities; to require the submission of certain proposals to the House and Senate Transportation, Highways and Public Works Committees; to provide for the requirements of transportation facility proposals; to provide relative to the adoption of certain guidelines; to provide relative to the powers and duties of private entities; to provide relative to the requirements of a comprehensive agreement; to authorize certain funding sources; to provide relative to material defaults under certain circumstances and remedies for such defaults; to provide authority for the acquisition of certain property; to provide relative to police powers; to provide relative to utility crossings; to provide for procurement guidelines and requirements; to provide relative to multimodal transportation facilities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1306—

BY REPRESENTATIVE QUEZAIRE AND SENATOR ELLINGTON
AN ACT

To amend and reenact R.S. 48:250.3, relative to design-build contracts let by the Department of Transportation and Development; to provide relative to qualifications of competing firms; to provide relative to procedures for evaluation and selection of a design-builder; to provide relative to the compensation of competing firms for their proposals; to provide relative to hearings on final decisions; and to provide for related matters.

Reported favorably.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

Senator Fields, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

May 18, 2006

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

SENATE BILL NO. 527—

BY SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 33:2002(A)(1), 2218.2(A)(1), and 2218.8(B), relative to extra compensation and supplemental pay for firemen, police officers, and deputy sheriffs; to increase such extra compensation of supplemental pay; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 606—

BY SENATOR SHEPHERD
AN ACT

To enact R.S. 38:331, relative to reorganization of levee districts; to create and provide for the Orleans Lake Area Development Authority; to provide for membership of the board of directors; to transfer the control and management of certain non-flood protection functions and activities, and facilities and improvements involved therewith, of the Orleans Levee District; to provide for transfers to the Orleans Lake Area Development Authority; to designate the authority as the successor to the levee district regarding certain mineral leases; to provide for the liability of the authority for certain legal actions and claims

May 18, 2006

arising against, and certain obligations of, the Orleans Levee District; to provide for the transfer of certain district employees to the authority; to provide for effectiveness; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 38—
BY REPRESENTATIVE R. CARTER
AN ACT

To enact R.S. 33:423.17, relative to the city of Amite City; to authorize the chief of police of that city to take certain personnel actions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 39—
BY REPRESENTATIVE R. CARTER
AN ACT

To enact R.S. 33:2721.15, relative to the parish of St. Helena; to authorize the governing authority of the parish to levy and collect an additional sales and use tax; to provide for the purpose of the tax; to provide for voter approval; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 207—
BY REPRESENTATIVE JOHNS
AN ACT

To enact R.S. 51:1156(D), relative to the town of Vinton; to provide relative to a corporation known as the Industrial Development Board of the Town of Vinton, Inc.; to provide relative to the board of directors of the corporation; to provide relative to the membership of such board; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 470—
BY REPRESENTATIVE DOERGE
AN ACT

To amend and reenact R.S. 33:4574.1.1(A)(35), relative to Webster Parish; to increase the maximum rate of hotel occupancy tax authorized to be levied by the Webster Parish Convention and Visitors Commission; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 474—
BY REPRESENTATIVE ERDEY
AN ACT

To enact R.S. 33:423.17, relative to the town of Livingston; to authorize the chief of police of that town to take certain personnel actions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 529—
BY REPRESENTATIVE WALKER
AN ACT

To enact Part X of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:3081, relative to Avoyelles Parish; to authorize the governing authority of the parish, subject to voter approval, to establish and collect a mosquito abatement service charge or rates of service charges; to provide for collection and use thereof; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 586—
BY REPRESENTATIVES GREENE, BARROW, BAYLOR, CRANE, DANIEL, DOVE, GLOVER, HONEY, KATZ, KENNARD, LAMBERT, MARTINY, RITCHIE, ROMERO, JACK SMITH, STRAIN, WHITE, WINSTON, AND WOOTON AND SENATORS CHEEK, DARDENNE, AND FONTENOT
AN ACT

To amend and reenact R.S. 33:1981(C)(1) and (2) and 2201(C), relative to financial security of survivors of certain firemen and law enforcement officers; to increase payments to surviving spouses and children in certain cases; to increase the time limitation relative to notifying the Law Enforcement Officers and Firemen's Survivor Benefit Review Board of the death of a fireman or law enforcement officer; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 634—
BY REPRESENTATIVES WHITE AND GLOVER
AN ACT

To amend and reenact R.S. 33:2501(C)(1), relative to fire and police civil service; to provide relative to the modification of disciplinary action by certain municipal fire and police civil service boards; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 744—
BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY
AN ACT

To amend and reenact Section 1 of Act No. 130 of the 1896 Regular Session of the Legislature, and Sections 1 through 8 of Act No. 569 of the 1989 Regular Session of the Legislature, as amended by Act No. 13 of the 1998 First Extraordinary Session of the Legislature, and R.S. 36:209(O) and to enact R.S. 36:802.21, relative to New Orleans City Park; to provide for the powers, duties, functions, and responsibilities of the New Orleans City Park Improvement Association and its board of commissioners and the powers, duties, functions, and responsibilities of the Department of Culture, Recreation and Tourism and its officers and offices with respect to the park and the association and its board of commissioners; to provide that the association and its board shall be policymaking agencies; to provide for certain other powers of the board; to provide relative to employees, their appointing authority, civil service status, and certain benefits; to provide relative to contracts with a nonprofit or not-for-profit firm, corporation, or entity and the authority therefor; to provide relative to funds and funding and related procedures; to provide that the secretary of the Department of Culture, Recreation and Tourism shall be a member of the board; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1071—
BY REPRESENTATIVES HUNTER, ALARIO, BARROW, DEWITT, DORSEY, GLOVER, HAMMETT, JEFFERSON, RICHMOND, RITCHIE, AND SALTER AND SENATORS BAJOEIE, HINES, MOUNT, AND NEVERS
AN ACT

To enact Chapter 3-C of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:600.31 through 600.44, relative to housing; to enact and provide for the Louisiana Housing Preservation Act; to provide relative to the identification and rehabilitation of blighted housing property and procedures therefor; to provide for the powers, duties, functions, and responsibilities of parishes, municipalities, and courts relative thereto; to provide for designation of qualified rehabilitation entities; to provide relative to permits, taxes, liens, obligations, and liability; to provide relative to certain preferences; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1230—
BY REPRESENTATIVE HILL
AN ACT

To amend and reenact R.S. 33:2740.42(A)(1) and (D), relative to Allen Parish; to authorize the governing authority to levy and collect an additional hotel occupancy tax with voter approval; to provide for the use of such tax; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
CLEO FIELDS
Chairman

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

SENATE BILL NO. 95—
BY SENATOR BROOME

AN ACT

To enact R.S. 40:600.6(A)(4)(b)(x) and Chapter 3-C of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:600.27 and 600.28, relative to the Louisiana Housing Finance Agency; to create the Louisiana Habitat for Humanity Loan Purchase Program; to provide for the purposes, funding, and procedures of the loan purchase program; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 95 by Senator Broome

AMENDMENT NO. 1

On page 2, line 16, after "families" insert ", and particularly those individuals and families who have mental or physical disabilities,"

AMENDMENT NO. 2

On page 2, line 18, after "safe," insert "accessible,"

AMENDMENT NO. 3

On page 2, between lines 25 and 26, insert the following:
"(2) To encourage the development of accessible housing for people with disabilities through media outreach in collaboration with disability based community organizations."

AMENDMENT NO. 4

On page 2, line 26, change "(2)" to "(3)"

AMENDMENT NO. 5

On page 2, line 28, change "(3)" to "(4)"

On motion of Senator Hollis, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 467—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 37:1229(A) and to enact R.S. 40:971(D) and (E), relative to controlled dangerous substances; to require that pharmacies maintain records on certain prescriptions; to authorize law enforcement authorities access to certain pharmacy records; to provide for penalty; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 467 by Senator Fontenot

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "amend and reenact R.S. 37:1229(A) and to"

AMENDMENT NO. 2

On page 1, line 3, after "to require" delete the remainder of the line, and delete line 4, and at the beginning of line 5, delete "pharmacy records; to provide for penalty" and insert the following:
"production of photographic identification under certain circumstances"

AMENDMENT NO. 3

On page 1, delete lines 7 through 17, and on page 2, delete lines 1 through 2

AMENDMENT NO. 4

On page 2, line 3, change "Section 2." to "Section 1."

AMENDMENT NO. 5

On page 2, line 6, change "shall" to "may, if he has a good faith belief that a crime has been committed on the premises,"

AMENDMENT NO. 6

On page 2, line 7, change "they have" to "it is believed that the individual has"

AMENDMENT NO. 7

On page 2, delete line 12 and insert the following:
"E. Every pharmacy in which a controlled dangerous substance is physically obtained by a patient or a patient's agent shall require every"

AMENDMENT NO. 8

On page 2, line 14, after "identification" delete the remainder of the line, and delete lines 15 through 16, and insert the following:
"card, unless the patient or the patient's agent is known to the pharmacist. The"

AMENDMENT NO. 9

On page 2, line 19, after "issued to," delete the remainder of the line and delete line 20

On motion of Senator Cheek the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 496—
BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 29:422(D), relative to military affairs; to provide for enforcement of Servicemembers Civil Relief Act by the attorney general of Louisiana; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 496 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 11 after "jurisdiction" insert "and appropriate venue"

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 569—
BY SENATOR MURRAY

AN ACT

To enact R.S. 29:725.1, relative to the authority of the attorney general in certain emergencies; to authorize the issuance of

cease and desist orders by the attorney general during an emergency; to provide for the power of the attorney general to issue cease and desist orders when immediate action through the normal judicial process is not possible; to provide for proper venue to request a hearing; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 569 by Senator Murray

AMENDMENT NO. 1

On page 1, line 15, change "judicial" to "juridical"

AMENDMENT NO. 2

On page 2, line 3, change "judicial" to "juridical" and delete "post-certified"

AMENDMENT NO. 3

On page 2, line 4 after "officer" insert "certified by the Council on Peace Officer Standards and Training who is"

AMENDMENT NO. 4

On page 2, line 5, after "through" delete the remainder of the line and insert "any appropriate law providing the basis for making service on a juridical person who is foreign to the state but as to whom judicial jurisdiction exists because of a nexus to the state."

AMENDMENT NO. 5

On page 2, line 12, after "reopens" insert "and the normal administration of justice is possible"

AMENDMENT NO. 6

On page 2, line 15, change "business entity or" to "juridical person or natural"

AMENDMENT NO. 7

On page 2, line 28, change "For R.S. 29:725.1" to "In this Section"

AMENDMENT NO. 8

On page 2, line 29, change "Judicial" to "Juridical"

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 570—
BY SENATOR HINES

AN ACT

To enact Part I-B of Chapter 15 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1306 through 1310, relative to rural hospitals and physician referral practices; to provide for the encouragement of collaboration between rural hospitals and physicians; to provide definitions; to provide standards for ethical referral by physicians; to provide prohibitions and exceptions; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 570 by Senator Hines

AMENDMENT NO. 1

On page 2, between lines 18 and 19, insert the following:
"(1) 'Commercially reasonable terms and conditions' means those terms and conditions that would be reasonable to a prudent individual operating a business of similar type and size as a rural hospital even in the absence of referrals to the rural hospital or

healthcare facility by a physician who owns, or whose immediate family member owns, an interest in the healthcare facility in which the rural hospital has been offered the opportunity to participate as an owner. The provisions of 42 U.S.C. §1395nn, also known as "Stark II," the regulations promulgated by the Centers for Medicare and Medicaid Services, its predecessor or successor, to implement Stark II, and any regulatory guidance issued by the Centers for Medicare and Medicaid Services, its predecessor or successor, shall be considered in determining whether terms and conditions are commercially reasonable."

AMENDMENT NO. 2

On page 2, at the beginning of line 19, change "(1)" to "(2)"

AMENDMENT NO. 3

On page 2, delete lines 20 through 28, and insert the following:

"(3) 'Healthcare facility' means an independent diagnostic testing facility, magnetic resonance imaging equipment or facility, computerized tomography equipment or facility, Positron Emission Tomography scanner or facility, an ambulatory surgical center licensed by the department, or any outpatient surgical facility required to be licensed by the department as an ambulatory surgical center in order to obtain certification by Medicare as an ambulatory surgical center. 'Healthcare facility' shall not mean:"

AMENDMENT NO. 4

On page 3, delete lines 18 through 23, and insert the following:

"(4) 'Healthcare services' means magnetic resonance imaging services, computerized tomography services, Positron Emission Tomography scanner services, ultrasound services, any other imaging services that have become generally accepted methods of providing imaging services after April 17, 2006, as determined by the department, any services rendered by an ambulatory surgical center licensed by the department, or any services rendered by an outpatient surgical facility required to be licensed by the department as an ambulatory surgical center in order to obtain certification by Medicare as an ambulatory surgical center."

AMENDMENT NO. 5

On page 3, at the beginning of line 24, change "(4)" to "(5)"

AMENDMENT NO. 6

On page 3, at the beginning of line 29, change "(5)" to "(6)"

AMENDMENT NO. 7

On page 4, line 10, after "Bossier City," and before "Houma" insert "Covington,"

AMENDMENT NO. 8

On page 4, delete line 11, and insert the following:

"Lafayette, Lake Charles, Mandeville, Monroe, New Iberia, New Orleans, Opelousas, Ruston, Shreveport, Slidell,"

AMENDMENT NO. 9

On page 4, at the beginning of line 13, change "(6)" to "(7)"

AMENDMENT NO. 10

On page 4, at the beginning of line 15, change "(7)" to "(8)"

AMENDMENT NO. 11

On page 5, line 18, after "located" and before "offered" insert "is"

AMENDMENT NO. 12

On page 5, at the end of line 21, delete "would result in the" and delete lines 22 through 25, and insert the following:

"is at a price that is commensurate with the interest offered to such rural hospital, whether such purchase price is in the form of cash or debt, and in the case of a rural hospital that has received an Internal Revenue Code Section 501(c)(3) determination from the Internal Revenue Service or is a political subdivision of the state, such interest offered is not less than a majority interest in such healthcare facility."

On motion of Senator Cheek, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 613— BY SENATOR CHEEK

AN ACT

To amend and reenact R.S. 46:2742(B)(introductory paragraph), (1), (2), (4)(introductory paragraph), (5)(a), (b) and (c), (6) and (8) and to enact R.S. 46:2742(B)(5)(d) and (10) and (C), relative to the case mix reimbursement for nursing facilities; to require payment and resource requirement be adjusted quarterly; to provide for a floor for direct care costs; to provide relative to square footage per bed to be allowed; to provide relative to depreciation and a minimum rate of return for facilities; to provide relative to renovations, long-term ownership, and property insurance; to provide relative to pass-through expenses, allowable costs and impact of budget reductions on nursing home reimbursement; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 613 by Senator Cheek

AMENDMENT NO. 1

On page 2, line 16, after "of the" and before "direct" insert "median"

AMENDMENT NO. 2

On page 2, line 19, after "decreased" delete the remainder of the line and insert the following: "in accordance with Subsection C of this Section."

AMENDMENT NO. 3

On page 2, line 22, after "of the" and before "administrative" insert "median"

AMENDMENT NO. 4

On page 4, line 8, after "system" and before the period "." insert the following: "not to be reduced to below ninety percent of the median"

On motion of Senator Cheek the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 688— BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 18:1280.21 and 1280.22(B)(1), relative to the presidential preference primary; to provide for the day on which such election shall be held; to provide for the opening of the qualifying period for presidential candidates in such election; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 688 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, after "amend and reenact R.S. 18:" insert "402(C), (E)(1)(c) and (2)(c) and (F)(3),"

AMENDMENT NO. 2

On page 1, delete lines 3 and 4, and insert "preference primary and elections held at the same time as such primary; to change the dates

of the presidential preference primary and elections held at the same time as such primary; to provide relative to a candidate qualifying for such an"

AMENDMENT NO. 3

On page 1, line 7, after "R.S. 18:" insert "402(C), (E)(1)(c) and (2)(c) and (F)(3),"

AMENDMENT NO. 4

On page 1, delete lines 10 through 17 and delete pages 2 and 3 and insert the following:

"§402. Dates of primary and general elections * * *

C. Municipal and ward elections. In all municipalities with a population of less than four hundred seventy-five thousand, elections for municipal and ward officers who are not elected at the same time as the governor or members of congress shall be held every four years.

(1) Primary elections for municipal and ward officers who are not elected at the same time as the governor or members of Congress shall be held on the first Saturday in April of an election year, or on the second Tuesday in March Saturday in February of an election year, if the statewide presidential preference primary election is scheduled on the second Tuesday in March Saturday in February of the presidential election year, or on the third Saturday in February of an election year, if the statewide presidential preference primary election is scheduled on the third Saturday in February of the presidential election year.

(2) General elections for municipal and ward officers who are not elected at the same time as the governor or members of Congress shall be held on the fourth Saturday after the first Saturday in April of an election year unless the primary election for such officers is held on the second Tuesday in March or third Saturday in February; in such case the general election shall be held on the third fourth Saturday in April after the second or third Saturday in February, as the case may be, of an election year. * * *

E. Special elections to fill newly created office or vacancy in office. An election to fill a newly created office or vacancy in an existing office, except the office of state legislator or representative in congress, shall be held on the dates fixed by the appropriate authority in the proclamation ordering a special election as follows:

(1) A special primary election shall be held on the first of the following days that is not less than eleven weeks after the date on which the proclamation calling the special primary election was issued: * * *

(c) The first Saturday in April, when the special general election is held on the fourth Saturday after the first Saturday in April or on the second Tuesday in March or third Saturday in February during the presidential election year, if the statewide presidential preference primary election is scheduled on the second Tuesday in March or third Saturday in February of the presidential election year, depending upon the day the presidential preference primary is scheduled; however, commencing in 1986 and every fourth year thereafter, this date shall not be applicable in a parish containing a municipality with a population of four hundred seventy-five thousand or more. * * *

(2) A special general election shall be held on one of the following days: * * *

(c) The fourth Saturday after the first Saturday in April of any year unless the primary election is held on the second Tuesday in March or third Saturday in February; in such case the general election shall be held on the third Saturday in April fourth Saturday after the second or third Saturday in February, as the case may be; however commencing in 1986 and every fourth year thereafter, this date shall not be applicable in a parish containing a municipality with a population of four hundred seventy-five thousand or more. * * *

F. Bond, tax, or other elections. Every bond, tax, or other election at which a proposition or question is to be submitted to the voters shall be held only on one of the following dates:

May 18, 2006

* * *

(3) The first Saturday in April or the fourth Saturday after the first Saturday in April of any year or on the second ~~Tuesday in March~~ or third Saturday in February or third Saturday in April fourth Saturday after the second or third Saturday in February, as the case may be, during the presidential election year, if the statewide presidential preference primary election is scheduled on the second ~~Tuesday in March or third Saturday in February~~ of the presidential election year; however, commencing in 1994 and every fourth year thereafter, the first Saturday in April shall not be applicable in a parish containing a municipality with a population of four hundred seventy-five thousand or more.

* * *

§1280.21. Presidential preference primary election
 A statewide presidential preference primary election shall be held on the second ~~Tuesday in March in 1988~~ Saturday in February in 2008 and every fourth year thereafter for the purpose of allowing the electors of each political party in the state which has forty thousand or more registered members to express their preference for a person to be the nominee of the party for president of the United States, except when a legal holiday falls on the second Tuesday of February, in which case, the presidential preference primary election shall be held on the third Saturday in February. Each elector voting in such election may vote only for a candidate who is affiliated with the same party as the elector, except that the state central committee of a recognized political party may allow in its bylaws, electors who are not affiliated with any political party to cast a vote on the ballot of such recognized political party. The state central committee shall notify the Department of State that its bylaws allow for such voting by non-affiliated electors no later than seven days prior to the opening of qualifying for the presidential preference primary. Such notification shall be considered valid and effective for subsequent presidential preference primaries unless the state central committee notifies the Department of State that its bylaws no longer allow for such voting by non-affiliated electors no later than seven days prior to the opening of qualifying for a presidential preference primary. Any elector who is not affiliated with any political party and who is allowed to cast his vote on the ballot of a recognized political party in the presidential preference primary pursuant to this Section shall cast his vote on the ballot of only one recognized political party. Notwithstanding any provisions of this Code to the contrary, in any statewide presidential preference primary election, at any precinct where the presidential preference issue or election of political party officials or both are the only matters on the ballot, the number of election commissioners required in such precinct shall be one commissioner-in-charge and two commissioners.

§1280.22. Candidates; procedure for qualifying
 B.(1) The qualifying period for presidential candidates shall open on the ~~last Wednesday in January~~ second Wednesday in December and shall close at 5:00 p.m. on the following Friday. During the qualifying period, presidential candidates shall file notices of candidacy with the secretary of state.

* * *

Section 2. This Act shall become effective on January 1, 2007."

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**House Bills and Joint Resolutions
 on Second Reading
 Reported by Committees**

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE BILL NO. 150—
 BY REPRESENTATIVE PINAC
 AN ACT
 To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(i), relative to the Department of Public Service, including provisions to provide for the re-creation of the Department of Public Service and the statutory entities made a part of the

department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 151—
 BY REPRESENTATIVE PINAC
 AN ACT
 To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(b), relative to the Department of Economic Development; to provide for re-creation of the Department of Economic Development and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 152—
 BY REPRESENTATIVE LAFONTA
 AN ACT
 To enact R.S. 51:943(A)(9), (10), (11), and (12), relative to the membership of the Small Business Entrepreneurship Commission; to increase the membership of the commission to add members chosen from Louisiana colleges and universities; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 152 by Representative LaFonta

AMENDMENT NO. 1
 On page 1, line 2, delete "and (12)" and insert "(12), and (13)"

AMENDMENT NO. 2
 On page 1, line 7, delete "and (12)" and insert "(12), and (13)"

AMENDMENT NO. 3
 On page 2, between lines 6 and 7, insert the following:
 "(13) One representative from the Louisiana Association of Independent Colleges and Universities selected by its president who shall be a nonvoting member. However, such member may be counted for purposes of establishing a quorum."

On motion of Senator Hollis, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 153—
 BY REPRESENTATIVE JOHNS
 AN ACT
 To amend and reenact R.S. 40:975(G)(1) and R.S. 44:4.1(B)(24) and to enact Part X-A of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1001 through 1014, relative to the Prescription Monitoring Program Act; to provide for the denial, revocation, suspension, or termination of a license; to provide for a short title; to provide for the purpose and definitions; to provide relative to the establishment of the prescription monitoring program; to provide for the creation of the advisory council; to provide for the reporting of prescription monitoring information; to provide for access to prescription monitoring information; to provide

relative to education and treatment; to provide for unlawful acts; to provide for data analysis; to provide relative to reporting to the legislature; to provide relative to the authority to promulgate rules and regulations; to provide relative to the authority to contract; to provide relative to funding authority; to provide for severability; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. The bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 193—
BY REPRESENTATIVE LAFONTA
AN ACT

To enact R.S. 18:108(C), relative to voter registration; to provide for the reinstatement of prior voter registration information for a voter whose registration has been canceled and who re-registers to vote in the parish in which he was previously registered within three years of the cancellation of his registration in that parish; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 193 by Representative LaFonta

AMENDMENT NO. 1

On page 1, line 18, change "as necessary" to "including, but not limited to the voter's new address"

On motion of Senator Jones, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 203—
BY REPRESENTATIVES PINAC AND M. POWELL
AN ACT

To enact Chapter 25 of Title 12 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 12:1601 through 1606, relative to organization of business entities; to authorize conversion of domestic business entities; to provide for application and approval requirements; to provide for certificates of conversion and for certain filing requirements; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 205—
BY REPRESENTATIVES LAFONTA AND KATZ
AN ACT

To amend and reenact R.S. 40:2018.1(A), (B)(1)(a)(ii), (b)(ii), (d), (e), (j) through (l), (4), (7) through (9), and (13), (E)(3), and (G) and to repeal R.S. 40:2018.1 (B)(1)(q) and (s), relative to the Louisiana Commission on HIV, AIDS and Hepatitis C; to provide for a termination date; to provide for the members and functions of the commission; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 247—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(n), relative to the Louisiana Economic Development Council and certain other agencies within the office of the governor, including provisions to provide for the re-creation of the council and such agencies; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 256—
BY REPRESENTATIVES WALKER AND KATZ
AN ACT

To amend and reenact R.S. 28:454.15 and 824(A), R.S. 40:1300.51(2)(b), (3), and (5), 2006(A)(2)(k), (B)(2)(d), and (E)(2)(j), 2007.1(A)(1)(j), 2116(G) and (J)(1), 2120.4(B)(10)(c), 2180(2), 2180.1(introductory paragraph), and 2180.4(B), and R.S. 46:2622(6) and 2625(A)(1)(introductory paragraph) and (b), relative to intermediate care facilities for the mentally retarded; to change the name of intermediate care facilities for the mentally retarded to intermediate care facilities for people with developmental disabilities; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 261—
BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact R.S. 37:1164(2)(a), 1203(A)(7), 1209, 1232(B), and 1241(A)(17)(c), relative to the Pharmacy Practice Act; to provide for definitions; to provide for qualifications for reciprocity for pharmacists' licensure; to provide relative to pharmacists registered and licensed not less than fifty years; to provide relative to out-of-state pharmacies; to provide relative to the refusal, restriction, suspension, or revocation of licenses; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 262—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 12:24(A), 25(A)(1), 104(C)(2) and (3), 163(E)(1)(c), 203(A), 236(C)(2), 262.1(E)(1), 304(B), 308(A)(1) and (B)(3), 1305(A) and (E), 1308(C)(1), 1308.2(C)(1)(a), 1345(B) and (C), and 1350(B)(1)(c), relative to filing requirements for certain business organizations; to delete requirements for acknowledgments, authentic acts, or other documentation requiring a notary public; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 262 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2, after "reenact R.S." delete the remainder of the line and delete lines 2 and 3 in their entirety and insert the following: "12:2, relative to filing requirements"

May 18, 2006

AMENDMENT NO. 2

On page 1, line 5, after "organizations;" insert the following: "to provide procedures for Internet filings; to provide procedures for in-person filings;"

AMENDMENT NO. 3

On page 1, line 6, between "public" and the semicolon ";" insert "under certain circumstances"

AMENDMENT NO. 4

On page 1, line 9, after "R.S." delete the remainder of the line and delete lines 10 and 11 in their entirety and insert the following: "12:2 is hereby amended and reenacted to"

AMENDMENT NO. 5

On page 1, delete lines 13 through 22 in their entirety and insert the following:

"§2. Filing methods

A.(1) The secretary of state may accept any filing, authorized by this Title, by electronic or facsimile transmission. All electronic filings authorized by this Title shall include an electronic or digital signature.

(2) "Digital signature" means a type of electronic signature that transforms a message using an asymmetric crypto system such that a person having the initial message and the signer's public key can accurately determine:

(a) Whether the transformation was created using the private key that corresponds to the signer's public key.

(b) Whether the initial message has been altered since the transformation was made.

(3) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

B. A facsimile filing, the process of transmitting printed documents by electronic method to the secretary of state, is deemed to be properly signed when the document received by a facsimile machine or document image attachment in e-mail in the commercial division, office of the secretary of state, purports to be a copy of the original document, and contains the signatures required by this Section.

C.(1) Internet filing. The secretary of state is authorized to implement and establish procedures and systems for secure Internet-form filing for the filing of any instrument required under this Title.

(2) Any requirement that an instrument filed under this Title shall be subscribed or acknowledged before a notary public may be dispensed with if the instrument is filed and signed electronically as provided in Subsection (A)(3) of this Section by a person authorized to sign the instrument.

D. In-person filing. Any provision of this Title requiring that an instrument filed under this Title shall be subscribed or acknowledged before a notary public may be dispensed with if the instrument is signed, by the person authorized to sign, in the presence of the employee of the secretary of state receiving the instrument for filing provided the employee verifies the identity of the person signing the instrument."

AMENDMENT NO. 6

On page 2, delete lines 1 though 27.

AMENDMENT NO. 7

On page 3, delete lines 1 through 27.

AMENDMENT NO. 8

On page 4, delete lines 1 through 29.

AMENDMENT NO. 9

On page 5, delete lines 1 through 27.

AMENDMENT NO. 10

On page 6, delete lines 1 through 28.

AMENDMENT NO. 11

On page 7, delete lines 1 through 29.

AMENDMENT NO. 12

On page 8, delete lines 1 through 25.

On motion of Senator Hollis, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 293—

BY REPRESENTATIVES STRAIN, E. GUILLORY, KATZ, MCDONALD, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAYLOR, BRUCE, BURNS, CAZAYOUX, CRAVINS, CROWE, CURTIS, DAMICO, DARTEZ, DEWITT, DORSEY, DOVE, DURAND, FANNIN, FARRAR, FAUCHEUX, FRITH, GRAY, M. GUILLORY, HARRIS, HEATON, HEBERT, HILL, JACKSON, KENNEY, LABRUZZO, MARTINY, MONTGOMERY, PIERRE, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHE, ROMERO, SALTER, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRAHAN, TUCKER, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON

AN ACT

To amend and reenact R.S. 40:1299.1(A)(1) and (3) and to enact R.S. 40:1299.1(A)(5), relative to genetic testing for newborns; to add to the tests required to be performed on newborns; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. The bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 302—

BY REPRESENTATIVES STRAIN, R. CARTER, DOERGE, DURAND, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HUTTER, JACKSON, KATZ, LABRUZZO, MCDONALD, JOHN SMITH, WADDELL, AND WINSTON

AN ACT

To enact R.S. 37:761.1 and 795(B)(1)(l), relative to the dental practice act; to provide for the procedures and requirements to obtain a retired volunteer dental license; to provide for fees and costs; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 335—

BY REPRESENTATIVES BOWLER AND MARCHAND

AN ACT

To amend and reenact R.S. 49:992(D)(2) and to enact R.S. 49:992(I), relative to adjudications and hearings functions of the division of administrative law and certain state departments; to provide for adjudications and hearings functions of the Department of Health and Hospitals, the Department of Social Services, and the Department of Education; to provide for the delegation of certain functions and authority to the division of administrative law, except where prohibited by federal law; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 335 by Representative Bowler

AMENDMENT NO. 1

On page 1, line 2, after "(D)(2)" insert "and 994(C)"

AMENDMENT NO. 2

On page 1, line 5, after "Hospitals" change the comma to "and " and after "Services" delete the remainder of the line and on line 6, delete "Department of Education"

AMENDMENT NO. 3

On page 1, line 8, after "law;" insert "to provide relative to the authority of the division of administrative law to enter into certain

contracts;"

AMENDMENT NO. 4

On page 1, line 10, change "is" to "and 994(C) are"

AMENDMENT NO. 5

On page 2, delete line 4 and insert "Hospitals and the Department of Social Services, and any"

AMENDMENT NO. 6

On page 3, line 1, after "decision." insert "At the time the initial decision is mailed or delivered, the agency head shall be contacted by telephone or e-mail to be made aware that the initial decision has been mailed or delivered. If the agency head does not receive the initial decision by the end of the fifth day after notice by telephone call or e-mail that the decision was mailed or delivered, the division, upon being notified that the decision has not be received, shall hand deliver the decision by the end of the next working day."

AMENDMENT NO. 7

On page 3, line 13, after "Hospitals" change " , " to "and"

AMENDMENT NO. 8

On page 3, line 14, delete " , the Department of Education"

AMENDMENT NO. 9

On page 3, between lines 19 and 20, insert the following:
"§994. Administrative law judges
* * *

C. Notwithstanding the provisions of this Section, all :

(1) All persons employed in affected agencies on October 1, 1996, who handle adjudications and whether or not they meet the qualifications of this Chapter shall, unless the person declines, be transferred to and employed in the division created by this Chapter to handle adjudications in the manner provided in this Chapter. However, no person other than those provided for in this Subsection shall be employed as an administrative law judge who does not meet the requirements of this Section.

(2) Upon a determination by the director of the division that either specific expertise is required to adequately address particular adjudications or other hearings or series of adjudications or other hearings that is unavailable in any of the administrative law judges employed by the division or that there exists a substantial backlog of administrative adjudications or hearings to be conducted by the division, the director may contract with lawyers who meet all the qualifications in Subsection A and who have not been employed or contracted by any of the agencies involved in any of the adjudications or hearings to be conducted by such contracted lawyer during a period of five years prior to being contracted by the division pursuant to this Paragraph.
* * *

On motion of Senator Jones, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 358—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 51:1406(1), relative to the unfair trade practices and consumer protection law; to provide for an exemption for federally insured financial institutions and licensees of the Office of Financial Institutions; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 506—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 37:1782(14), 1796(A), and 1798(A) and to enact R.S. 37:1782(15) and (16), relative to pawnbrokers; to provide for definitions; to provide for recordkeeping; to provide for information to be furnished to police; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 587—
BY REPRESENTATIVE JEFFERSON
AN ACT

To enact R.S. 18:451.3, relative to qualifications for candidacy and for holding office; to provide that for purposes of residency or domicile requirements relative to qualifying for and holding office, a person shall not be considered to have vacated his domicile or residence if he was involuntarily displaced from his place of residence or domicile by the effects of a gubernatorially declared state of emergency except in certain circumstances; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 587 by Representative Jefferson

AMENDMENT NO. 1

On page 1, delete lines 2 through 7 and insert the following:

"To enact R.S. 18:101(F) and 451.3, relative to residency or domicile requirements for qualifications for voting, candidacy, or holding office when involuntarily displaced; to provide that displaced persons remain residents of the state and parish in which they are registered to vote except under certain circumstances; and to provide for related matters."

AMENDMENT NO. 2

On page 1, line 9 delete "18:451.3 is" and insert "18:101(F) and 451.3 are"

AMENDMENT NO. 3

On page 1, between lines 9 and 10 insert the following:
"§101. Registration to vote; qualifications; more than one residence; presidential elections
* * *

F. A person who has been involuntarily displaced from his place of residence by the effects of a gubernatorially declared state of emergency shall not be considered to have vacated his residence and shall be considered to be an actual bona fide resident of the state and parish in which he is registered to vote unless he has either established a new domicile or has changed his registration to an address outside the voting district.
* * *

On motion of Senator Jones, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 652—
BY REPRESENTATIVES WINSTON, BURNS, DOERGE, DURAND, GRAY, E. GUILLORY, M. GUILLORY, HUTTER, JACKSON, KATZ, LABRUZZO, JOHN SMITH, STRAIN, WADDELL, ANSARDI, BADON, BALDONE, BARROW, BAYLOR, CRAVINS, CROWE, CURTIS, DANIEL, DARTEZ, DORSEY, DOVE, DOWNS, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, HARRIS, HEATON, HEBERT, KENNEY, KLECKLEY, LAFLEUR, MCDONALD, MORRELL, ODINET, PIERRE, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, GARY

May 18, 2006

SMITH, JACK SMITH, TRAHAN, TRICHE, WALKER, WHITE, AND WOOTON

AN ACT

To amend and reenact Children's Code Articles 607(A) and (B), 1016(A) and (B), 1404(14) and R.S. 15:151.2(B), R.S. 28:2(13), and R.S. 46:460.21(A) and to enact Chapter 5 of Title V of the Louisiana Children's Code, to be comprised of Articles 551 through 560, and R.S. 15:151.2(J), relative to the welfare of children; to provide for access to children and communication in legal representation of children cases; to provide for the purpose and establishment of the Child Advocacy Program; to provide for the organization and board of trustees for the Child Advocacy Program; to provide for a child's right to appointed counsel in child in need of care proceedings; to provide for the right to counsel in termination proceedings; to provide for definitions in mental health proceedings for children; to provide for the powers and duties of the Indigent Defense Assistance Board; to provide for definitions in the mental health law; to provide for legal fees and expenses through the Department of Social Services, office of community services; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 652 by Representative Winston

AMENDMENT NO. 1

On page 2, line 5, after "abuse and neglect" delete the remainder of the line, and at the beginning of line 6, delete "future living arrangements"

On motion of Senator Cheek the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 655—

BY REPRESENTATIVES GRAY, ALARIO, DEWITT, DORSEY, HAMMETT, KATZ, RICHMOND, AND SALTER AND SENATORS BAJOLE, HINES, AND MOUNT

AN ACT

To amend and reenact R.S. 40:49(B)(8)(a), relative to vital statistics laws; to provide for requirements in the preparation of a certificate of death or spontaneous fetal death certificate or stillbirth; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 787—

BY REPRESENTATIVE PINAC

AN ACT

To enact Part VIII of Chapter 10-B of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:969.51, relative to the Louisiana Motor Vehicle Sales Finance Act; to authorize a uniform retail installment sales contract; to provide for certain protections for lenders and sellers; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 787 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2, change "Title 9" to "Title 6"

AMENDMENT NO. 2

On page 1, line 3, change "9:969.51" to "6:969.51"

AMENDMENT NO. 3

On page 1, line 7, change "Title 9" to "Title 6"

AMENDMENT NO. 4

On page 1, line 8, change "9:969.51" to "6:969.51"

On motion of Senator Hollis, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 866—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 49:1002(J), relative to drug testing; to provide for changes in references from the National Institute on Drug Abuse to Substance Abuse and Mental Health Services Administration; to provide for the application of the Chapter; to provide for the use of certified laboratories for drug testing of samples collected; to amend provisions relative to drug testing procedures and standards; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 903—

BY REPRESENTATIVE WINSTON

AN ACT

To enact R.S. 40:2160(D), relative to licensing of adult residential care homes; to establish criminal penalties for operating an adult residential care home without a license; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 932—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 37:73(1)(a) and (b), (3), (7), and (11), 74(B)(1), (E)(5), (H)(2) and (3), (J)(introductory paragraph), (3), and (4), 74.1, 75(E), 76(A)(2), (C)(1)(introductory paragraph), (a), and (2), (D)(1) and (2), 77(C)(1) and (D), 79(A)(introductory paragraph), 81(A), (B), (C), (I), and (K), 83(B), (C), (E), and (F)(2), 86(A) and (D), 88, 94(A)(1) and (2), 101(1), 105, 111(A), 112(A), 115, and 121(A) and (B) and to enact R.S. 37:109(C), and 121(F), (G), and (H), and to repeal R.S. 37:125, relative to the board of certified public accountants; to provide for distinction between holders of active and inactive CPA certificates; to provide for mandatory compliance with review panel process; to provide for consistency with respect to the review panel process; to provide for the selection, compensation, and requirements of members of review panels; to provide for the payment and award of costs; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 933—

BY REPRESENTATIVE WINSTON

AN ACT

To enact R.S. 40:2006(B)(2)(h) and (E)(2)(v) and (w), relative to fees, licenses, and penalties; to provide for per unit licensing fees for end stage renal disease facilities; to provide for delinquent fees for adult brain injury facilities and pain management clinics; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1189—

BY REPRESENTATIVE RITCHIE
AN ACT

To enact R.S. 6:121.7, relative to the Office of Financial Institutions; to authorize the imposition of a fee for certain payments which are returned unpaid, refused, or declined; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1262—

BY REPRESENTATIVES SALTER, BURNS, R. CARTER, CURTIS, DOERGE, DURAND, GRAY, E. GUILLORY, M. GUILLORY, JACKSON, KATZ, LABRUZZO, MCDONALD, JOHN SMITH, STRAIN, WADDELL, AND WINSTON

AN ACT

To amend and reenact R.S. 46:153.3(B)(1), relative to the Louisiana medical assistance program; to provide for reimbursement for prescription drugs; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. The bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 1269—

BY REPRESENTATIVE RITCHIE
AN ACT

To amend and reenact R.S. 6:121.2, relative to the Office of Financial Institutions; to provide for the powers and duties of the Office of Financial Institutions; to authorize the commissioner of financial institutions to obtain certain state and federal criminal history records under certain circumstances; to provide for the collection of certain fees; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1271—

BY REPRESENTATIVE RITCHIE
AN ACT

To amend and reenact R.S. 6:1088(C)(1)(a), (F)(4), and (G) and 1090(B)(1) and to enact R.S. 6:1090(H), 1092(A)(16) and (17) and (K), 1092.1, 1092.2, and 1096(E)(3) and (G)(3), relative to loans; to provide for the Residential Mortgage Lending Act; to provide for requirements for licensure and filing fees; to provide for the powers and duties of the commissioner of financial institutions; to provide time limits regarding reapplication for licensure; to provide restrictions on employment; to provide for the suspension, revocation, or denial of licensure; to provide for appellate rights; to prohibit the assessment of certain charges; to prohibit the financing of certain charges; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1371— (Substitute for House Bill No. 1055 by Representative Pinac)

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 36:409(M) and 919.3 and R.S. 40:1646, to enact Subpart D-3 of Part III of Chapter 7 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S.

40:1664.1 through 1664.16, and to repeal Subpart D of Part III of Chapter 7 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1625 through 1638, Subpart E of Part III of Chapter 7 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1651 through 1661, and Subpart F of Part III of Chapter 7 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1662.1 through 1662.19, relative to life safety and property protection licensing; to provide for definitions; to provide for licensure; to provide for exemptions from licensing; to provide for a firm license; to provide for an individual license; to provide for background checks; to provide for fees; to provide for powers and duties of fire marshal; to provide for an advisory board; to provide for prohibited acts; to provide for revocation of license; to provide for penalties; to provide for effect on local regulation; to provide for effective date; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Mr. President in the Chair

Bagneris Rule

Senator Barham moved to suspend the rules to temporarily pass over controversial Senate and House Bills on Third Reading and Final Passage with the intention of taking them up later, in their regular order.

Without objection, so ordered.

Reconsideration

On motion of Senator Mount, pursuant to the previous notice given, the vote by which the following bill failed to pass on Wednesday, May 17, 2006, was reconsidered.

SENATE BILL NO. 164—

BY SENATOR MOUNT
AN ACT

To enact R.S. 32:289, relative to operating motor vehicles; to prohibit the use of certain cellular phones or other mobile telecommunication devices by anyone eighteen years of age and younger while operating a motor vehicle; to provide for exceptions; to provide for penalties; and to provide for related matters.

On motion of Senator Mount, the bill was read by title and returned to the Calendar, subject to call.

Reconsideration

On motion of Senator Malone, pursuant to the previous notice given, the vote by which the following bill failed to pass on Thursday, May 18, 2006, was reconsidered.

SENATE BILL NO. 567—

BY SENATOR MALONE
AN ACT

To amend and reenact R.S. 30:2418(I)(1), (2), and (3) and to enact R.S. 30:2418(P), relative to environmental quality; to provide for a phase out of the waste tire subsidy program; and to provide for related matters.

On motion of Senator Malone, the bill was read by title and returned to the Calendar, subject to call.

May 18, 2006

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

SENATE BILL NO. 10— BY SENATOR N. GAUTREAUX AN ACT

To amend and reenact R.S. 14:35.3(F)(2), (I), and (K), relative to penalties for the crime of domestic abuse battery; to provide for enhancement of penalties under certain circumstances; and to provide for related matters.

The bill was read by title. Senator N. Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Duplessis, Michot, Adley, Dupre, Mount, Bajolie, Ellington, Murray, Barham, Fontenot, Nevers, Boasso, Gautreaux N, Schedler, Broome, Hollis, Shepherd, Cain, Jackson, Smith, Chaisson, Kostelka, Theunissen, Cheek, Lentini, Ullo, Cravins, Malone, Dardenne, Marionneaux

Total - 31

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Amedee, Heitmeier, Quinn, Fields, Jones, Romero, Gautreaux B, McPherson

Total - 8

The Chair declared the bill was passed. The title was read and adopted. Senator N. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 340— BY SENATOR CAIN AN ACT

To amend and reenact R.S. 14:91.11(A)(1) and (2), (B), and (D) and to enact R.S. 14:91.11(A)(4), and (5), and (E), relative to offenses affecting the health and morals of minors; to provide with respect to the sale, exhibition, or distribution of material harmful to minors; to provide for definitions; to provide that the provisions apply to persons under the age of eighteen years; to require identification prior to selling materials harmful to minors; and to provide for related matters.

The bill was read by title. Senator Cain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Duplessis, Michot, Adley, Dupre, Mount, Bajolie, Fontenot, Murray

Table with 3 columns of names: Barham, Gautreaux B, Nevers, Boasso, Gautreaux N, Schedler, Broome, Jackson, Shepherd, Cain, Jones, Smith, Chaisson, Kostelka, Theunissen, Cheek, Lentini, Ullo, Cravins, Malone, Dardenne, Marionneaux

Total - 31

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Amedee, Heitmeier, Quinn, Ellington, Hollis, Romero, Fields, McPherson

Total - 8

The Chair declared the bill was passed. The title was read and adopted. Senator Cain moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 454— BY SENATORS ELLINGTON AND SMITH AN ACT

To enact Chapter 23-A of Title 3 of Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:3751 and 3752, relative to the right of Louisiana farmers to supply Louisiana feedstock to renewable fuel manufacturing facilities operating in Louisiana; to encourage the use of Louisiana harvested crops in the production of renewable fuels in Louisiana; to require operators of renewable fuel manufacturing facilities to provide notice of operation and contact information for the purchase of Louisiana feedstock; to require the collection and dissemination of information regarding the purchases of Louisiana feedstock in the manufacture of renewable fuels; to require the collection and dissemination of information regarding the sales of renewable fuels by Louisiana manufacturers; and to provide for related matters.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed Senate Bill No. 454 by Senator Ellington

AMENDMENT NO. 1

On page 2, line 28, after "D." insert the following: "(1)"

AMENDMENT NO. 2

On page 3, line 2, before "percentage" insert "minimum"

AMENDMENT NO. 3

On page 3, line 5, after "Agriculture's" delete the remainder of the line and line 6 and insert:

"Office of the Chief Economist."

AMENDMENT NO. 4

On page 3, between lines 6 and 7 insert the following:

"(2) Beginning July 1, 2006, there will be a presumption that renewable fuel plants operating in Louisiana and deriving biodiesel from soybeans and other crops shall use as feedstock at least two and a half percent of the soybean crop harvested in Louisiana. In succeeding years, the minimum percentage of Louisiana harvested soybeans presumptively to be used to produce renewable fuel in Louisiana facilities shall be the percentage of corn used nationally to produce renewable fuel as reported by the United States Department of Agriculture's Office of the Chief Economist."

(3) As additional crops are used in the production of

renewable fuels at facilities in Louisiana, there will be a presumption that renewable fuel plants operating in Louisiana shall use Louisiana harvested crops in a percentage rate at least equal to the percentage of the crops's usage nationally in the production of renewable fuel as reported by the United States Department of Agriculture's Office of the Chief Economist."

On motion of Senator Ellington, the amendments were adopted.

The bill was read by title. Senator Ellington moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	Michot
Bajoie	Ellington	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Total - 32		

NAYS

Total - 0

ABSENT

Amedee	Hollis	Romero
Fields	McPherson	
Heitmeier	Quinn	
Total - 7		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 612—
BY SENATORS MOUNT, BROOME, CHAISSON AND SCHEDLER
AN ACT

To enact R.S. 15:587(A)(1)(e), R.S. 32:412(I), R.S. 40:1321(J), and Chapter 24-C of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2528, relative to sexual offenders; to require a restriction code which declares that a driver's license holder is a sex offender; to provide for a Predator Alert System; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 612 by Senator Mount

AMENDMENT NO. 1
On page 3, line 23, following "**15:542**" and before "**et seq.**" delete " ; "

AMENDMENT NO. 2
On page 4, line 15, following "**(1)**" and before "**to**" change "**State police shall send out the alert**" to "**Send out the alert, through the state police.**"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Mount moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dupre	Marionneaux
Bajoie	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 31		

NAYS

Total - 0

ABSENT

Mr. President	Heitmeier	Romero
Amedee	McPherson	Shepherd
Fields	Quinn	
Total - 8		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 652—
BY SENATOR LENTINI
AN ACT

To enact R.S. 14:102.21 and to repeal R.S. 14:102.1(D), relative to criminal offenses; to provide relative to the criminal code and to offenses against the state; to provide relative to the prohibition of certain activities and the penalties provided therefor; to provide relative to offenses against animals and affecting the public sensibility; to create the crime of cockfighting; to provide relative to the prosecution of such crime; to provide for definitions; to prohibit transportation of certain animals for certain purposes; to prohibit certain activities related to cockfighting; to provide relative to penalties, conditions, and requirements; and to provide for related matters.

On motion of Senator Lentini, Senate Bill No. 652 was made Special Order of the Day No. 1 on Tuesday, May 23, 2006, immediately following the Morning Hour.

SENATE BILL NO. 700—
BY SENATOR JONES
AN ACT

To enact R.S. 23:643, relative to payment of employees; to provide with respect to the establishment of a state minimum wage; to provide for an increase in the state minimum wage to six dollars and fifteen cents per hour; and to provide for related matters.

On motion of Senator Jones, Senate Bill No. 700 was made Special Order of the Day No. 1 on Wednesday, May 24, 2006, immediately following the Morning Hour.

SENATE BILL NO. 728—
BY SENATOR SHEPHERD
AN ACT

To enact R.S. 9:5625(H), relative to preservation of buildings and landmarks in historic districts; to provide for certain prescriptive periods; and to provide for related matters.

On motion of Senator Shepherd, the bill was read by title and returned to the Calendar, subject to call.

May 18, 2006

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Marionneaux asked that Senate Bill No. 328 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 328— BY SENATOR MARIONNEAUX AN ACT

To repeal Code of Evidence Art. 510(F), relative to malpractice; to provide relative to health care provider-patient privilege; to repeal certain limitations on such privilege in medical malpractice claims; to repeal certain limitations on the disclosure of a patient's treatment or condition in medical malpractice claims; and to provide for related matters.

The bill was read by title. Senator Marionneaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Duplessis, Malone, Adley, Dupre, Marionneaux, Bajoie, Ellington, Michot, Barham, Fontenot, Mount, Boasso, Gautreaux B, Murray, Broome, Gautreaux N, Nevers, Cain, Hollis, Schedler, Chaisson, Jackson, Shepherd, Cheek, Jones, Smith, Cravins, Kostelka, Theunissen, Dardenne, Lentini, Ullo.

Total - 33

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Amedee, Heitmeier, Quinn, Fields, McPherson, Romero.

Total - 6

The Chair declared the bill was passed. The title was read and adopted. Senator Marionneaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

House Concurrent Resolutions on Second Reading Reported by Committees

The following House Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 8— BY REPRESENTATIVE LAFONTA A CONCURRENT RESOLUTION

To amend the Department of Economic Development, Small and Emerging Business Development Program rules to extend the period of time that a business may benefit from the program and to direct the Louisiana Register to print the amendments in the Louisiana Administrative Code.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs.

The resolution was read by title. Senator Murray moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Duplessis, Malone, Adley, Dupre, Marionneaux, Bajoie, Ellington, Michot, Barham, Fontenot, Mount, Boasso, Gautreaux B, Murray, Broome, Gautreaux N, Schedler, Cain, Hollis, Shepherd, Chaisson, Jackson, Smith, Cheek, Jones, Theunissen, Cravins, Kostelka, Ullo, Dardenne, Lentini.

Total - 32

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Amedee, McPherson, Romero, Fields, Nevers, Heitmeier, Quinn.

Total - 7

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

HOUSE BILL NO. 15— BY REPRESENTATIVE MARTINY AN ACT

To amend and reenact R.S. 14:32.8(A)(2)(c), relative to third degree feticide; to provide that one element of the offense includes the offender being under the influence of controlled dangerous substances listed in schedules provided by law; to delete reference to general descriptions of drugs; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Duplessis, Malone, Adley, Dupre, Marionneaux, Bajoie, Ellington, Michot, Barham, Fontenot, Mount, Boasso, Gautreaux B, Murray, Broome, Gautreaux N, Nevers, Cain, Hollis, Schedler, Chaisson, Jackson, Shepherd, Cheek, Jones, Smith, Cravins, Kostelka, Theunissen.

Dardenne	Lentini	Ullo
Total - 33		
	NAYS	
Total - 0		
	ABSENT	
Amedee	Heitmeier	Quinn
Fields	McPherson	Romero
Total - 6		

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 26—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:108(A) and (B)(1)(c), relative to the crime of resisting an officer; to provide that resisting an officer making a lawful detention is an element of the crime of resisting an officer; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneau
Bajoie	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Amedee	Heitmeier	Quinn
Fields	McPherson	Romero
Total - 6		

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 64—
BY REPRESENTATIVES DORSEY, BALDONE, BRUCE, BURRELL,
CAZAYOUX, CRAVINS, LAFLEUR, AND WHITE
AN ACT

To enact R.S. 15:551, relative to the sexual offender law; to create the crime of harboring or concealing a sexual offender, sexually violent predator, or child predator; to provide for penalties; and to provide for related matters.

The bill was read by title. Senator Broome moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneau
Bajoie	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Amedee	Heitmeier	Quinn
Fields	McPherson	Romero
Total - 6		

The Chair declared the bill was passed. The title was read and adopted. Senator Broome moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Bajoie in the Chair

HOUSE BILL NO. 88—
BY REPRESENTATIVE PITRE
AN ACT

To enact R.S. 14:99.1, relative to driving offenses; to create the crime of hit and run damaging of a potable waterline by operation of a watercraft or vessel; to provide for definitions; to provide for penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Ullo sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ullo to Reengrossed House Bill No. 88 by Representative Pitre

AMENDMENT NO. 1

On page 2, between lines 3 and 4, insert the following:
"(4) "Inland waterway" shall not include the Mississippi River."

On motion of Senator Ullo, the amendments were adopted.

Floor Amendments Sent Up

Senator Ullo sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ullo to Reengrossed House Bill No. 88 by Representative Pitre

AMENDMENT NO. 1

On page 1, line 19, after "watercraft" insert "to the enforcement authorities at the scene" and after "police" insert "if there are no enforcement authorities at the scene"

On motion of Senator Ullo, the amendments were adopted.

The bill was read by title. Senator Ullo moved the final passage of the amended bill.

May 18, 2006

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	

Total - 32

NAYS

Total - 0

ABSENT

Amedee	Heitmeier	Romero
Cain	McPherson	
Fields	Quinn	

Total - 7

The Chair declared the amended bill was passed. The title was read and adopted. Senator Ullo moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 100—

BY REPRESENTATIVES MARTINY AND ANSARDI
AN ACT

To amend and reenact R.S. 40:981.3(A)(3)(a) and (b) and (D) and to enact R.S. 40:981.3(C)(6), relative to drug-free zones; to add child day care center property within drug-free zones; to provide for definitions; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Bajoie	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo

Total - 33

NAYS

Total - 0

ABSENT

Amedee	Heitmeier	Quinn
Fields	McPherson	Romero

Total - 6

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 101—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:67.2(B)(2) and (3), 67.5(B)(2) and (3), 67.9(2) and (3), 67.10(B)(2) and (3), 67.13(B)(2) and (3), 68.2(C)(2) and (3), 68.7(B)(1)(b), 70.2(C)(3) and (4), 70.4(E)(2) and (3), 71(D) and (E), 143(C)(3) and (10), and Code of Criminal Procedure Article 211(A)(introductory paragraph), relative to the crime of theft; to provide for a uniform system of gradations based upon the value of the goods taken for the different crimes of theft defined by Louisiana law; to provide for a uniform system of gradations based upon the value of the goods taken for certain crimes which are misappropriations without violence and defined by Louisiana law; to provide for the adoption of certain ordinances comparable to the crime of theft of animals and theft of an alligator and incorporating the gradation scale; to provide for the issuance of a summons instead of an arrest warrant in certain cases of theft or illegal possession of stolen things; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Michot
Bajoie	Ellington	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Schedler
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	

Total - 32

NAYS

Total - 0

ABSENT

Amedee	Marionneaux	Romero
Fields	McPherson	
Heitmeier	Quinn	

Total - 7

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 102—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:32.6(A)(2), relative to the crime of first degree feticide; to provide that the crime is committed when the offender is engaged in the perpetration or attempted perpetration of certain additional crimes; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
---------------	-----------	--------

Adley	Dupre	Marionneaux
Bajoie	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo

Total - 33

NAYS

Total - 0

ABSENT

Amedee	Heitmeier	Quinn
Fields	McPherson	Romero

Total - 6

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 122—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 14:93.15 and R.S. 26:90(A)(16) and 286(A)(16), relative to alcoholic beverage vaporizers; to provide for the crime of selling, delivering, giving away, purchasing, possessing, or using an alcoholic beverage vaporizer; to provide for penalties; to prohibit the sale, delivery, or give away of alcohol dispensed by means of an alcoholic beverage vaporizer on licensed premises; to prohibit the purchase, possession, or use of an alcoholic beverage vaporizer machine on licensed premises; to prohibit allowing a customer or other person to keep or use an alcoholic beverage vaporizer on licensed premises; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	Michot
Bajoie	Ellington	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Schedler
Cain	Hollis	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	

Total - 32

NAYS

Total - 0

ABSENT

Amedee	Jackson	Romero
Fields	McPherson	
Heitmeier	Quinn	

Total - 7

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 164—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:574.12(A), (B), (D)(introductory paragraph), (E)(introductory paragraph), and (H), relative to the confidentiality of information regarding offenders and ex-offenders; to provide that information obtained by the Department of Public Safety and Corrections, youth services, is confidential; to authorize the deputy secretary of youth services to approve the reading of confidential information in certain circumstances; to provide for rulemaking authority; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Bajoie	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo

Total - 33

NAYS

Total - 0

ABSENT

Amedee	Heitmeier	Quinn
Fields	McPherson	Romero

Total - 6

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 167—
BY REPRESENTATIVE BADON
AN ACT

To amend and reenact R.S. 17:421.8(A), relative to salary adjustments for certain persons holding credentials issued by the National Board for Certified Counselors; to provide conditions for receiving the adjustment; and to provide for related matters.

The bill was read by title. Senator Duplessis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Bajoie	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen

May 18, 2006

Dardenne Total - 33	Lentini	Ullo
	NAYS	
Total - 0	ABSENT	
Amedee Fields Total - 6	Heitmeier McPherson	Quinn Romero

The Chair declared the bill was passed. The title was read and adopted. Senator Duplessis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 187—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:905, relative to education and work opportunities for juvenile offenders; to provide that the office of youth services has control over all aspects of juvenile offender training and education; to provide that juvenile offenders may be compensated for work performed during work training programs; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Bajoie	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 33	NAYS	
Total - 0	ABSENT	
Amedee Fields Total - 6	Heitmeier McPherson	Quinn Romero

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 215—
BY REPRESENTATIVE DOERGE
AN ACT

To amend and reenact Children's Code Article 603(14) and to enact Children's Code Articles 603(16.1) and 610(G), relative to a child in need of care; to provide with respect to the definitions of neglect and prenatal neglect; to provide for the duty of a physician to order a toxicology test; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Duplessis	Marionneaux
Adley	Dupre	Michot
Bajoie	Ellington	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Total - 32	NAYS	
Total - 0	ABSENT	
Amedee Fields Gautreaux N Total - 7	Heitmeier McPherson Quinn	Romero

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 220—
BY REPRESENTATIVE M. GUILLORY
AN ACT

To amend and reenact Code of Criminal Procedure Article 611, relative to venue; to provide venue for the crime of identity theft; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Bajoie	Ellington	Michot
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Schedler
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Total - 32	NAYS	
Total - 0	ABSENT	
Amedee Fields Heitmeier Total - 7	McPherson Mount Quinn	Romero

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

HOUSE BILL NO. 264—
BY REPRESENTATIVES SCALISE AND BALDONE
AN ACT

To amend and reenact R.S. 14:62.5(C), relative to the crime of looting; to delete as an element of the crime that a defendant knew or should have known that a declaration of emergency existed; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Bajoie	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Amedee	Heitmeier	Quinn
Fields	McPherson	Romero
Total - 6		

The Chair declared the was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 364—
BY REPRESENTATIVE WALSWORTH
AN ACT

To enact R.S. 14:67.21(B)(3), relative to crime of theft; to provide for the crime of theft against aged or disabled persons through a fraudulent or deceitful scheme; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Bajoie	Ellington	Michot
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Schedler
Cain	Hollis	Smith
Chaisson	Jackson	Theunissen
Cheek	Jones	Ullo
Cravins	Kostelka	
Dardenne	Lentini	
Total - 31		

NAYS

Total - 0

ABSENT

Amedee	McPherson	Romero
Fields	Mount	Shepherd
Heitmeier	Quinn	
Total - 8		

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 409—
BY REPRESENTATIVE SCALISE
AN ACT

To enact R.S. 15:543.1, relative to sex offenders; to provide for the dissemination of information to sex offenders regarding protocol to be followed in emergency situations; to provide relative to the promulgation of an administrative rule by the Department of Public Safety and Corrections; to provide that the failure of an offender to comply with the emergency protocol provisions is a violation of a condition of parole; to provide for definitions; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Bajoie	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Amedee	Heitmeier	Quinn
Fields	McPherson	Romero
Total - 6		

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 410—
BY REPRESENTATIVE M. GUILLORY
AN ACT

To amend and reenact R.S. 14:67.16(B) and (C) and 67.21(B) and to enact R.S. 14:67.16(A)(1)(m) and (n), relative to theft; to provide for personal identifying information; to provide for identity theft; to provide for theft of the assets of aged or disabled persons; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

May 18, 2006

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Duplessis, Malone, Adley, Dupre, Marionneaux, Bajois, Ellington, Michot, Barham, Fontenot, Mount, Boasso, Gautreaux B, Murray, Broome, Gautreaux N, Nevers, Cain, Hollis, Schedler, Chaisson, Jackson, Shepherd, Cheek, Jones, Smith, Cravins, Kostelka, Theunissen, Dardenne, Lentini, Ullo. Total - 33

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Amedee, Heitmeier, Quinn, Fields, McPherson, Romero. Total - 6

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 425— BY REPRESENTATIVE CAZAYOUX AN ACT

To amend and reenact R.S. 14:62.1(B) and (C), relative to simple burglary of a pharmacy; to amend the criminal penalties for simple burglary of a pharmacy; and to provide for related matters.

The bill was read by title. Senator Marionneaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Duplessis, Malone, Adley, Dupre, Marionneaux, Bajois, Ellington, Michot, Barham, Fontenot, Mount, Boasso, Gautreaux B, Murray, Broome, Gautreaux N, Nevers, Cain, Hollis, Schedler, Chaisson, Jackson, Shepherd, Cheek, Jones, Smith, Cravins, Kostelka, Theunissen, Dardenne, Lentini, Ullo. Total - 33

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Amedee, Heitmeier, Quinn, Fields, McPherson, Romero. Total - 6

The Chair declared the bill was passed. The title was read and adopted. Senator Marionneaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 743— BY REPRESENTATIVE HUTTER AN ACT

To enact R.S. 14:62.7, relative to offenses against property; to create the crime of unauthorized entry of a dwelling during times of disaster or emergency; to provide for penalties; to provide for exceptions; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Duplessis, Malone, Adley, Dupre, Marionneaux, Bajois, Ellington, Michot, Barham, Fontenot, Mount, Boasso, Gautreaux B, Murray, Broome, Gautreaux N, Nevers, Cain, Hollis, Schedler, Chaisson, Jackson, Shepherd, Cheek, Jones, Smith, Cravins, Kostelka, Theunissen, Dardenne, Lentini, Ullo. Total - 33

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Amedee, Heitmeier, Quinn, Fields, McPherson, Romero. Total - 6

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Marionneaux in the Chair

HOUSE BILL NO. 828— BY REPRESENTATIVE CAZAYOUX AN ACT

To amend and reenact R.S. 15:542(A)(1) and (4), (B)(1)(a), (C), and (F) and 542.1(C)(1), (2), and (5), (I)(1) and (2), (J)(1), and (K)(1) and (3) and to enact R.S. 15:541(21) and 542(G), relative to the registration of sex offenders; to require the registration of all residences; to define residence; to provide for community notification; to provide a notification procedure when the offender no longer resides with a person; to provide for notification of change of address; to make it a crime to fail to annually update registration and provide proof of address and community notification; to require notice of certain duties to the offender; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Duplessis, Malone, Adley, Dupre, Marionneaux, Bajois, Ellington, Michot, Barham, Fontenot, Mount, Boasso, Gautreaux B, Murray, Broome, Gautreaux N, Nevers

Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo

Total - 33

NAYS

Total - 0

ABSENT

Amedee	Heitmeier	Quinn
Fields	McPherson	Romero

Total - 6

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 865—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:64.3, relative to commission of the crimes of armed robbery or attempted armed robbery when the dangerous weapon used is a firearm; to provide relative to additional penalties; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneau
Bajoie	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo

Total - 33

NAYS

Total - 0

ABSENT

Amedee	Heitmeier	Quinn
Fields	McPherson	Romero

Total - 6

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1060—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 56:643(B), relative to hunting and fishing licenses; to authorize the issuance of an active military license to spouses and certain children of military personnel; and to provide for related matters.

The bill was read by title. Senator Cain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneau
Bajoie	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	

Total - 32

NAYS

Total - 0

ABSENT

Amedee	McPherson	Shepherd
Fields	Quinn	
Heitmeier	Romero	

Total - 7

The Chair declared the bill was passed. The title was read and adopted. Senator Cain moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1125—
BY REPRESENTATIVES DARTEZ, BALDONE, CAZAYOUX, AND
WOOTON
AN ACT

To amend and reenact R.S. 14:81(A) and (C) and to enact R.S. 14:81(D) through (H), relative to indecent behavior with juveniles; to amend elements of the crime to provide that reasonable belief that the victim is under the age of seventeen is sufficient to commit the crime of indecent behavior with a juvenile; to provide for definitions; to provide that evidence seized resulting from the commission of the crime of indecent behavior with juveniles is considered contraband; to require sex offender registration if convicted for the crime of indecent behavior with juveniles; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneau
Bajoie	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo

Total - 33

NAYS

Total - 0

ABSENT

Amedee	Heitmeier	Quinn
--------	-----------	-------

May 18, 2006

Fields McPherson Romero
Total - 6

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Chaisson in the Chair

HOUSE BILL NO. 1140— (Substitute for House Bill No. 968 by Representative Martiny)

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 44:4.1(B)(7) and to enact Chapter 6-C of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:651 through 662, relative to the Louisiana Repository for Unidentified and Missing Persons Information Program; to establish the Louisiana Repository for Unidentified and Missing Persons Information Program; to provide with respect to the Forensic Anthropology and Computer Enhancement Services laboratory; to provide for the powers and duties of the laboratory; to provide for definitions; to provide for legislative findings; to provide for laboratory recommendations to the legislature; to provide for procedural compatibility with the Federal Bureau of Investigation; to provide for the collection of forensic anthropology samples; to provide for procedures for collecting, disposition, and use of forensic anthropological analysis; to provide for a central repository for unidentified human remains and missing persons information; to provide for the confidentiality of records; to prohibit disclosure of confidential information; to provide for penalties for disclosure of information; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed House Bill No. 1140 by Representative Martiny

AMENDMENT NO. 1

On page 6, line 12, after "E." insert "(1)"

AMENDMENT NO. 2

On page 6, line 13, after "shall," delete the remainder of the line and delete line 14 and insert "return the human remains to the submitting law enforcement agency or other criminal justice agency.

(2)(a) After return of the human remains, the submitting law enforcement agency or other criminal justice agency shall:

(i) If the human remains are unidentified, provide for the respectful maintenance of the human remains pending identification and contact with the deceased person's family.

(ii) If the human remains are identified, return the human remains to the deceased person's family or make such other disposition of the human remains as the family requests.

(b)(i) If the law enforcement or other criminal justice agency requires the human remains in furtherance of an ongoing criminal investigation, such agency shall provide for the respectful maintenance of the human remains until there is no further such requirement.

(ii)(aa) At such time as there is no requirement for identified human remains in furtherance of an ongoing criminal investigation, the law enforcement or other criminal justice agency shall return the human remains to the deceased person's family or make such other disposition of the human remains as the family requests.

(bb) At such time as there is no requirement for unidentified human remains in furtherance of an ongoing criminal investigation, the law enforcement or other criminal justice agency shall provide for the respectful maintenance of the human remains pending identification and contact with the deceased person's family."

On motion of Senator Marionneaux, the amendments were adopted.

The bill was read by title. Senator Dardenne moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Duplessis Malone
Adley Dupre Marionneaux
Bajoie Ellington Michot
Barham Fontenot Mount
Boasso Gautreaux B Murray
Broome Gautreaux N Nevers
Cain Hollis Schedler
Chaisson Jackson Shepherd
Cheek Jones Smith
Cravins Kostelka Theunissen
Dardenne Lentini Ullo
Total - 33

NAYS

Total - 0

ABSENT

Amedee Heitmeier Quinn
Fields McPherson Romero
Total - 6

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Marionneaux in the Chair

HOUSE BILL NO. 1154—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 13:5305, relative to courts and judicial procedure; to provide with respect to drug division programs in district court; to provide for dismissal of certain criminal charges upon completion of drug division probation program; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre Michot
Adley Ellington Mount
Bajoie Fontenot Murray
Barham Gautreaux B Nevers
Boasso Gautreaux N Schedler
Broome Hollis Shepherd
Chaisson Jackson Smith
Cheek Jones Theunissen
Cravins Lentini Ullo
Dardenne Malone
Duplessis Marionneaux
Total - 31

NAYS

Cain Kostelka
Total - 2

ABSENT

Amedee
Fields
Total - 6

Heitmeier
McPherson

Quinn
Romero

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1299—

BY REPRESENTATIVES MONTGOMERY, BARROW, DANIEL, FRITH, PINAC, RITCHIE, AND WALSWORTH

AN ACT

To amend and reenact R.S. 4:1(A) and (B) and to enact R.S. 4:1(E), (F), (G), (H), and (I), relative to amusements and sports; to provide for the price printed on tickets; to provide for the reselling of certain tickets; to provide for procedures to resell certain tickets; to provide for ticket refunds; to provide for exceptions; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Hollis	Schedler
Broome	Jackson	Shepherd
Cain	Jones	Smith
Chaisson	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 31		

NAYS

Total - 0

ABSENT

Amedee	Fields	Quinn
Cheek	Heitmeier	Romero
Cravins	McPherson	
Total - 8		

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 352—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 12:142.1(A), relative to dissolution of a corporation; to provide for the qualifications for dissolution by affidavit; and to provide for related matters.

The bill was read by title. Senator Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Hollis	Schedler

Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 31		

NAYS

Total - 0

ABSENT

Adley	Fields	Quinn
Amedee	Heitmeier	Romero
Boasso	McPherson	
Total - 8		

The Chair declared the bill was passed. The title was read and adopted. Senator Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 602—

BY REPRESENTATIVES PINAC, BRUCE, BURRELL, CROWE, DOERGE, FRITH, KLECKLEY, T. POWELL, RITCHIE, GARY SMITH, STRAIN, WADDELL, WALSWORTH, AND WINSTON

AN ACT

To enact R.S. 6:1096(E)(3) and R.S. 9:3532.1(C), relative to prepayment penalties; to prohibit prepayment penalties under certain circumstances for consumer credit transactions and residential mortgage loans; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 31		

NAYS

Total - 0

ABSENT

Amedee	Heitmeier	Romero
Boasso	McPherson	Shepherd
Fields	Quinn	
Total - 8		

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 616—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3573.2(B)(5) and (7), 3573.4(E), and 3573.11(C)(introductory paragraph), to enact R.S. 9:3573.1(J) and (K) and 3573.9(M), (N), and (O), and to repeal R.S. 9:3573.5, relative to credit repair service organizations; to provide for denial of applications; to provide for changes of control of such organizations; to limit certain exemptions; to

May 18, 2006

prohibit reapplication after license revocation for a certain period of time; to provide relative to hearing and court costs; to increase the surety bond; to provide relative to the finality of administrative and judicial hearings; to provide relative to inspection of certain orders; to repeal the provisions relative to annual registration statements; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Lentini
Adley	Dupre	Marionneaux
Bajoie	Ellington	Michot
Barham	Fontenot	Mount
Broome	Gautreaux B	Murray
Cain	Gautreaux N	Nevers
Chaisson	Hollis	Schedler
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Kostelka	Ullo
Total - 30		

NAYS

Malone
Total - 1

ABSENT

Amedee	Heitmeier	Romero
Boasso	McPherson	Shepherd
Fields	Quinn	
Total - 8		

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 796—
BY REPRESENTATIVES MARTINY, ANSARDI, AND THOMPSON AND SENATORS LENTINI AND MCPHERSON
AN ACT

To enact R.S. 49:170.14, relative to state symbols; to provide for the official state song for Hurricane Katrina and Hurricane Rita recovery efforts; to provide for the official state troubadour; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Bajoie	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Total - 32		

NAYS

Total - 0

ABSENT

Amedee	McPherson	Shepherd
Fields	Quinn	
Heitmeier	Romero	
Total - 7		

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 798—
BY REPRESENTATIVE HUTTER
AN ACT

To enact Chapter 19-E of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1751 through 1754, relative to anti-phishing provisions; to provide for definitions; to provide for unlawful requests; to provide for remedies; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Bajoie	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Total - 32		

NAYS

Total - 0

ABSENT

Amedee	McPherson	Shepherd
Fields	Quinn	
Heitmeier	Romero	
Total - 7		

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 931—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 9:3512(8), 3515(A)(1)(a), 3561(D)(1), and 3572.1 and to enact R.S. 9:3554.2, 3554.3, and 3558(E), relative to the Louisiana Consumer Credit Law; to provide for the inclusion of federally related mortgage loans when authorized by contract; to provide relative to stored value cards; to prohibit reapplication for licensure within a certain time period after revocation; to provide relative to costs of appeals and disposition of final judgments and decisions; to provide for changes of control of a consumer loan license; to provide relative to the definition of loan broker; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Bajoie	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Total - 32		

NAYS

Total - 0

ABSENT

Amedee	McPherson	Shepherd
Fields	Quinn	
Heitmeier	Romero	
Total - 7		

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 988—

BY REPRESENTATIVES TRAHAN, BARROW, BRUCE, BURRELL, CROWE, DOERGE, FRITH, KLECKLEY, T. POWELL, RITCHIE, GARY SMITH, STRAIN, WADDELL, WALSWORTH, AND WINSTON
AN ACT

To amend and reenact R.S. 51:1402(4), (5), and (6), 1404(A)(introductory paragraph) and (1)(b) and (6), (B), and (C), 1405, 1406(3), 1407, 1408, 1409(A), (B), and (D), 1410, 1411(A) and (C), 1412(A) and (C), 1416, and 1417, to enact R.S. 51:1403, and to repeal R.S. 51:1404(A)(5), relative to the Unfair Trade Practices and Consumer Protection Law; to provide for definitions; to provide for the duties of the Governor's Consumer Protection Division; to provide for penalties for violations against elder persons; to provide for additional relief; to provide for investigative demands; to provide for investigative depositions; to provide for civil penalties; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Duplessis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 31		

NAYS

Total - 0

ABSENT

Amedee	Heitmeier	Romero
Cain	McPherson	Shepherd
Fields	Quinn	
Total - 8		

The Chair declared the bill was passed. The title was read and adopted. Senator Duplessis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Appointment of Conference Committee on House Bill No. 52

The President of the Senate appointed on the Conference Committee on House Bill No. 52 the following members of the Senate: Senators Malone, McPherson and N. Gautreaux.

Appointment of Conference Committee on House Bill No. 66

The President of the Senate appointed on the Conference Committee on House Bill No. 66 the following members of the Senate: Senators Smith, Malone and Kostelka.

Appointment of Conference Committee on House Bill No. 418

The President of the Senate appointed on the Conference Committee on House Bill No. 418 the following members of the Senate: Senators Heitmeier, Cheek and Dupre.

Appointment of Conference Committee on House Bill No. 800

The President of the Senate appointed on the Conference Committee on House Bill No. 800 the following members of the Senate: Senators Nevers, Michot and Hines.

Appointment of Conference Committee on House Bill No. 1073

The President of the Senate appointed on the Conference Committee on House Bill No. 1073 the following members of the Senate: Senators Heitmeier, Cain and Lentini.

Introduction of Resolutions, Senate and Concurrent

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 80—

BY SENATORS JACKSON AND DUPLESSIS
A RESOLUTION

To commend and congratulate Willie Spears on his much deserved retirement.

On motion of Senator Jackson, the resolution was read by title and adopted.

May 18, 2006

SENATE CONCURRENT RESOLUTION NO. 96—
 BY SENATORS MALONE AND N. GAUTREAUX
A CONCURRENT RESOLUTION

To recognize May 20, 2006, through May 26, 2006, as Louisiana Safe Boating Week and to commend the efforts of the Department of Wildlife and Fisheries, law enforcement division.

The resolution was read by title. Senator Malone moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneau
Adley	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 31		

NAYS

Total - 0

ABSENT

Amedee	Heitmeier	Romero
Cain	McPherson	Shepherd
Fields	Quinn	
Total - 8		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 97—
 BY SENATOR HINES
A CONCURRENT RESOLUTION

To recognize Wednesday, May 24, 2006, as Tourism Awareness Day.

The resolution was read by title. Senator Hines moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneau
Adley	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 31		

NAYS

Total - 0

ABSENT

Amedee	Heitmeier	Romero
--------	-----------	--------

Cain	McPherson	Shepherd
Fields	Quinn	
Total - 8		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Rules Suspended

Senator Malone asked for and obtained a suspension of the rules for the purpose of taking up at this time.

House Concurrent Resolutions on Second Reading Reported by Committees

Senator Malone asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just reported by Committees.

HOUSE CONCURRENT RESOLUTION NO. 198—

BY REPRESENTATIVES PIERRE, ALARIO, BEARD, BURNS, BURRELL, CAZAYOUX, CRANE, CURTIS, DAMICO, DANIEL, DARTEZ, DOERGE, DOVE, DOWNS, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, E. GUILLORY, HAMMETT, HILL, HOPKINS, HUTTER, JACKSON, JOHNS, KENNEY, KLECKLEY, LAFLEUR, LAMBERT, MARTINY, MCDONALD, MONTGOMERY, MORRISH, ODINET, PINAC, T. POWELL, RITCHIE, ROBIDEAUX, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALSWORTH, AND WOOTON

A CONCURRENT RESOLUTION

To express the support of the Legislature of Louisiana for the storage of natural gas in this state and to recognize the benefits and importance of the storage of natural gas in this state.

Reported favorably by the Committee on Natural Resources.

The resolution was read by title. Senator Malone moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneau
Bajoie	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Hollis	Nevers
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 30		

NAYS

Gautreaux N
 Total - 1

ABSENT

Amedee	Heitmeier	Romero
Cain	McPherson	Shepherd
Fields	Quinn	
Total - 8		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Rules Suspended

Senator Jones asked for and obtained a suspension of the rules

for the purpose of taking up at this time.

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Jones asked that Senate Bill No. 202 be called from the Calendar at this time.

SENATE BILL NO. 202— BY SENATOR JONES

AN ACT

To amend and reenact R.S. 15:828(B), relative to prisons and correctional institutions; to provide for classification and treatment programs; to increase the number of programs in which an inmate is to be encouraged to participate and for which an inmate may receive good time credits; and to provide for related matters.

On motion of Senator Jones, the bill was read by title and withdrawn from the files of the Senate.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 18, 2006

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 83— BY SENATOR BOASSO AND REPRESENTATIVES HUTTER AND ODINET

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to reconsider the decision to exclude Plaquemines Parish from the federal plan to invest \$2.5 billion for levee re-enhancement in south Louisiana.

SENATE CONCURRENT RESOLUTION NO. 90— BY SENATORS MARIONNEAUX AND MALONE

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Lynda Kay Walther-Jones, devoted mother, daughter, and educator.

SENATE CONCURRENT RESOLUTION NO. 89— BY SENATOR QUINN

A CONCURRENT RESOLUTION

To commend the group Levees.org for their efforts and activities on behalf of the state of Louisiana to raise public awareness concerning the U.S. Army Corps of Engineers and the federal government's role and responsibility in the devastation of the New Orleans metro area.

SENATE CONCURRENT RESOLUTION NO. 85— BY SENATOR ULLO AND REPRESENTATIVE ODINET A CONCURRENT RESOLUTION

To express the support of the Louisiana Legislature for the shrimp industry and for the "Bonne Crevette" marketing campaign to promote Louisiana wild-caught shrimp.

Respectfully submitted, CHARLES D. JONES Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

Message to the Governor

SIGNED SENATE BILLS

May 18, 2006

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

SENATE BILL NO. 70— BY SENATORS NEVERS AND MOUNT AND REPRESENTATIVES SCALISE AND SCHNEIDER

AN ACT

To amend and reenact the introductory paragraph of R.S. 15:574.4(A)(2)(a), and R.S. 40:967(B)(1), (4) and (5) and 981.2(C), relative to certain controlled dangerous substances; to increase the penalty for the manufacture, possession or distribution of methadone; to authorize offenders to participate in the intensive incarceration program; and to provide for related matters.

SENATE BILL NO. 364— BY SENATOR ROMERO

AN ACT

To authorize the secretary of the Department of Wildlife and Fisheries and the commissioner of administration to sell, convey, transfer, assign, and deliver certain state property located in St. Martin Parish.

SENATE BILL NO. 366— BY SENATOR ROMERO

AN ACT

To authorize the secretary of the Department of Wildlife and Fisheries and the commissioner of administration to sell, convey, transfer, assign, and deliver certain state property located in St. Martin Parish.

SENATE BILL NO. 572— BY SENATOR JONES

AN ACT

To enact Code of Criminal Procedure Article 799.1, relative to the number of peremptory challenges; to provide for use of all challenges available unless otherwise agreed; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted, GLENN A. KOEPP Secretary of the Senate

Leaves of Absence

The following leaves of absence were asked for and granted:

Table with 4 columns: Name, Days, Name, Days. Rows: Amedee (1 Day), Heitmeier (1 Day), Quinn (1 Day), Fields (1 Day), McPherson (1 Day), Romero (1 Day).

Adjournment

Senator Bajoie moved that the Senate adjourn until Monday, May 22, 2006, at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 3:00 o'clock P.M. on Monday, May 22, 2006.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk